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10

SCIPIO DE RICCI.

BISHOP OF PISTOIA AND PRATO.

Published by Henry Colburn, New Burlington St.1828.

HARVARD UNIVERSITY

LONDON:
HENRY COLBURN, NEW BURLINGTON STREET.
1829.

LONDON:
PRINTED BY S. AND R. BENTLEY,
Dorset Street, Fleet Street.

MEMOIRS

OF

SCIPIO DE RICCI,

LATE BISHOP OF PISTOIA AND PRATO,

REFORMER OF CATHOLICISM IN TUSCANY

UNDER THE REIGN OF LEOPOLD.

COMPILED FROM

THE AUTOGRAPH MSS. OF THAT PRELATE,

AND THE LETTERS OF OTHER DISTINGUISHED PERSONS

OF HIS TIMES.

EDITED FROM THE ORIGINAL OF M. DE POTTER,

BY

THOMAS ROSCOE.

IN TWO VOLUMES.

VOL. I.

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LONDON:
HENRY COLBURN, NEW BURLINGTON STREET.
1829.

of more spirit, and as ardent in the pursuit of change or reformation as himself; but in many very important points he claims an attention and respect which can be awarded to few others who acted a conspicuous part in the agitating and fearful drama of the eighteenth century. When Liberty herself was desecrated by being allied with Atheism, and made the enemy of outraged humanity, the virtuous Bishop of Prato and Pistoia was planning and pursuing a system of reform which would have established the freedom of his countrymen on true moral, intellectual, and religious improvement. The most zealous enemy of injustice in states and governments was not more opposed to oppression, not more fervent in his desire of seeing mankind emancipated from every species of tyrannous thraldom; but he was superior in his designs to the spirit of the age. He desired reform civil and ecclesiastic, yet he knew how, to separate authority from its corruptions, and he endeavoured to pursue a line of action, which, if successful, would have led to the permanent establishment of religious and moral improvement in the Italian States.

The narrative of the struggles, of the hardship

and afflictions, which this virtuous Prelate had to endure in carrying on his reforms, is one of the most interesting pieces of biography existing. Emancipating himself early in life from the trammels of falsehood and superstition, he appears to have been carried forward, as much by the purity and moral correctness of his feelings, as by the exercise of an ingenuous mind. Throughout his long and weary career, this amiability and purity of character are constantly apparent; and he gains our personal esteem, and affection for his virtues, as well as our respect for his perseverance during an extended series of years in the defence of truth and right.

The sequel of this interesting history of a man whose name will always be held in reverence for his purity of intention, affects, as much as it disappoints us. Ricci, though possessing all the virtues of humanity, and all the sincerity and piety which should form the character of a reformer, was wanting in those sterner elements of mind which are requisite to a man standing in the situation he occupied. His good sense and his natural love of truth made him hate the base and enslaving superstitions with which he saw religion corrupted; his humanity made him

wish to see his fellow creatures freed from such degradation; the impulse of his heart, and the veneration he had for the faith he professed, convinced him that it was his duty to attempt their deliverance. In Leopold he found a patron worthy of his respect, and well fitted to aid him in his designs: had the support of the Grand-duke only been continued to him, there is little doubt he would have endured any personal toil to effect his object. But he was at last left alone; his spirit, never bold enough to maintain such a situation, failed him; his ideas of the duty of submission, united with the natural mildness of his character, confounded the plain and obvious reasoning a stronger mind would have employed; and he fell a victim at once to his own want of determination, and to the artifices of the common enemies of himself, liberty, and religion.

In presenting these volumes to an English public, it has been found necessary to select, with some degree of caution, from the immense mass of documents which the original Editor of Ricci's Life has amassed. Many of the papers he has printed are utterly useless, and devoid of interest; and others could only be valuable to those who require to be told

that where superstition and political profligacy reign in their most degraded forms, morality and decency will be entirely forgotten. We have, therefore, spared the reader the disgusting toil of reading through page after page of detail, which would add no additional proof to a truth already known, and in this country, we have to thank Heaven, of no present interest. The vices of the Dominican monks and nuns have been already sufficiently exposed; and it is Ricci's virtues, and Ricci's struggles, in which the mind of an English reader will be most deeply interested. Of these the following pages will give ample proof; and while they thus introduce a character not hitherto generally known in this country, they will afford matter for deep reflection to every lover of his country and true friend of religion.

As a piece of contemporary history also, we believe, the Memoirs of the Bishop of Prato and Pistoia will be found of considerable interest and usefulness. He was in correspondence with many of the most eminent men who figured on the great theatre of European politics, at a time when politics was a science of life and death. His own fate was depending on the issue of the great contest so

warmly carried on around him; and the history of his life forms a most important episode in the eventful drama.

The original Work, the really valuable and important parts of which are here presented to the reader, was chiefly composed from the autograph manuscripts and private memoranda of Ricci: they were furnished to the Editor by the nephews of the Prelate; and no doubt, we believe, has ever arisen respecting their uniform authenticity.

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and his conversation and that of the persons who frequented his house, cured Ricci of the ideas he had formed concerning sanctity and doctrine, which he confesses up to that time he had allowed in the highest degree, and almost exclusively to the Jesuits.

What he learned among these fathers did not tend less to prepare him for the aversion he was doomed to feel for them hereafter, than what he had heard from their adversaries. The Irish Jesuit who was charged with teaching him the precious art of reasoning, taught him nothing but a sophistical and captious logic—the sole end of which was "among a thousand useless questions and logomachies without number, to take for granted in all their extent, and in all the clearness of which they were susceptible, the fundamental principles of *molinism* and *congruism*, by means of the ideas of the *medial science;* that is, of the means by which God sees *conditional futures.*"* It would be useless to explain this jargon, which will be understood only by those who are familiar with the controversies of the Jansenists, a sect, the name of which is only remembered by the persecutions they underwent from the powerful body which they opposed.

The force of education, and the debt of gratitude

* Ricci's Manuscript Memoirs. In all cases where the words of Ricci himself are used, we quote them from these Memoirs, which were entrusted to Monsieur de Potter, to be used as the foundation of his work.

of which a generous soul is always anxious to acquit itself, made Ricci, however, relax somewhat in his dislike to the society, which he had contracted among the Jansenists. He always spoke in the highest terms of Boscovick, Lazzeri, and Benvenuti, who were the professors of history and the exact sciences. In the middle of his course he took a fancy to become a Jesuit, and consulted his family on the subject. He informs us that he embraced the idea in order to prepare himself for a place in the other world, believing that this had been promised in a prophecy of St. Francis Borgia, to all members of the Society of Jesus. "A man," says he, "desirous of his eternal welfare would not neglect a passport of this nature; and I had not the information necessary to perceive the vanity and nullity of such a pledge."

The answer of his relations was an order to return immediately to Florence. His mother, as we have already mentioned, had no partiality for the Jesuits; and his uncles, whose ambition it was that he should rise to the highest dignities of the church, neglected nothing to hinder him from burying himself, with such hopes, in the den of a cloister. This was in 1758. Scarcely had Ricci returned into Tuscany, before he forgot his vocation, and thought of nothing but concluding his studies at the university of Pisa, to which he was sent.

He pursued a course of theology at Florence, un-

der the Benedictines of Mount Cassino, among whom P. Buonamici was at that time lecturer. He then became a good Jansenist, or rather Augustinian. The sectaries of this name frequently join to their speculative and indifferent dogmas, the active and very important quality of being what is called *regalists*—that is, they make of religion what it really is, a matter of conscience, and leave the care of government to those who are charged with it. Saint Augustin did not preach this doctrine any more than the other Christian writers of his time, who could not even doubt the horrible abuses which must in the course of ages arise from the infernal confusion of the temporal with the spiritual power. But the Jesuits had made themselves *decretalists*, that is to say, they were the apostles of these abuses; and the Jansenists were obliged to combat these errors not only with the body which sustained them, but with the Popes, for whose particular advantage they were calculated. It was only gradually that these sectaries came to the degree of hardihood requisite openly to affront the prejudices so solidly established on the superstitious habits of the one party, and the interested ambition of the other. Ricci, who in the course of his life ran round the whole circle of Jansenism, complains of it in these terms: "In this course of theology, the doctrine of St. Augustin was mantained with the greatest vigour; but the respect which they still had for certain decretals, and the fear of offending the pretensions of the Court of

Rome, did not permit these learned monks, (the Benedictines) to say all that perhaps they thought, but which circumstances compelled them to keep silent."

Ricci was ordained priest in 1766, and appointed almost immediately canon and auditor to the nunciature of Tuscany. He had for his colleague the Canon Martini, who directed his religious studies, particularly towards sacred and ecclesiastical history, the fathers of the church, and the canons of the councils. He acknowledges his obligations to Martini for ridding him of many prejudices which his education had rooted in him.

In 1772, he inherited the property of Corso de Ricci, canon-penitentiary of the cathedral at Florence, a relative of his father. Ricci describes him as being a very reserved man; but though the brother of the last General of the Jesuits, he was very much opposed to the morality which they taught.

This circumstance brought Ricci in contact with the General of the Jesuits. After the suppression of the society, the General begged from him an asylum in his hotel at Florence, or in one of his country houses in Tuscany, for himself and a lay-brother. Ricci went to Poggio-Imperiale, (a ducal palace at a short distance from Florence,) to communicate the request to the Grand Duke Leopold, who said at once, "Let him come; it is of no consequence to me whether he sojourns in my States or elsewhere; but," added he laughing, "I don't think they will let him go." This

answer he communicated to his relation, but the General was not allowed to take advantage of it. He was at first confined in the English college, under the care of Cardinal Andrew Corsini, and of Signor Foggini; but the imprudence of some of his partizans forced the congregation of Cardinals to transfer him to the Castle of Saint Angelo, where he underwent many examinations, and where, without leaving it, he died. The death of the Pope who had suppressed the order, had preceded his. Ricci adds his testimony to those already known, that he was poisoned. Among his papers was found the following curious and interesting document on that subject. It is a report from the Spanish Ambassador to his Court.

" *Circumstantial Narrative describing the last illness and death of Pope Clement XIV, sent by the Spanish Minister to his Court.*

" In 1770, a country girl of Valentino, whose name was Bernadine Beruzzi, first began to spread her predictions respecting the Jesuits. There were a great number of other prophecies afloat, by means of which that society endeavoured to rouse the superstition of the multitude for the evident purpose of restraining his Holiness Clement XIV from issuing the fatal decree of suppression. This Bernadine became notorious by her impostures. She predicted that the Society would not be extinguished; that one

of its most celebrated members would be raised to the purple by Clement XIV himself; that the Jesuits would in a short time be restored to the states, from which they had been expelled; that the Pope would undergo a total change of sentiments towards them; with a variety of other falsities contradicted by subsequent events. On the 24th of March this deluded prophetess having herself been imposed upon, proceeded to announce the death of Clement XIV, and persisted in repeating the false intelligence, until, after being convinced that he was still alive, she returned to her predictions respecting the honours and favours prepared for the Jesuits. After the suppression of the society in August 1773, the prophecies still went on, but in an altered tone; they were reduced to two points: first, that the society would be re-established; secondly, that the Pope and all those who had assisted him would die. Various punishments were denounced against them. The real propagators of these predictions were some Jesuits who systematically employed themselves in that object: *applica ut fiat systema* is a phrase used in a letter by these fanatics.

"Notwithstanding these rumours, the Pope lived in health and quiet more than eight months after the society had been abolished, though he always suspected the intrigues of the Jesuits, and mentioned his apprehensions to Mr. N. N., a person of undoubted veracity. He assured him that he resigned himself to the care of the Almighty, to whom he

willingly offered himself a sacrifice, since, in suppressing the Jesuits, he had done what appeared to him absolutely necessary and just, after numerous and fervent prayers addressed to Heaven, both by himself and by persons of acknowledged virtue.

" The Pope was of a robust habit, subject only to occasional flatulence; his voice was strong and sonorous; he walked with the agility of a young man; his disposition was so gay, and he carried his affability so far, that some persons considered him too familiar. His penetration was so quick, that a single word was sufficient to make him perceive the object and the end of a discourse addressed to him; he enjoyed a good appetite, and slept regularly every night, as near as possible, five hours. One day in the Holy Week of the present year 1774, at the conclusion of dinner, Clement XIV. felt a great uneasiness of the chest, stomach and intestines, accompanied with a chill, which he ascribed to accident, and recovered his composure by degrees. The first evil symptom which showed itself was a weakness of voice, appearing to indicate some extraordinary kind of catarrh; in consequence of which it was resolved, that during divine service at St. Peter's, on Easter Day, the Pope's seat should be guarded against the cold air: every body present observed the change in his voice. An inflammation of the mouth and throat soon succeeded, and gave him a great deal of pain, obliging him to keep his mouth almost always open. Then followed

vomitings at intervals, with excessive pains in the bowels, renal obstruction, and a gradual weakness in the body and legs; so that he lost his sleep, and with it his alacrity in walking. Such, however, was his courage, that he concealed these indications, though there is no doubt that he had resorted to the use of pills, by way of antidote to the poison which he was persuaded had been administered to him. The Pope continued in this state during all the months of May, June, and July, concealing the decay of his strength and his other symptoms, whilst a rumour was gaining ground that he could not long survive. Some persons went so far as to appoint the 16th of July as the day of his death; and after that time had passed over, October was fixed upon, in conformity with letters from Germany and other parts.

"In July he began the use of medicinal waters, which it was his annual custom to drink, in consequence of an acrid humour which attacked him in the summer. It was remarked that this year the usual eruption did not come to his relief, in sufficient abundance, till the beginning of August; and he continued the habit of holding his mouth open, suffering also from weakness and the sore throat, together with excessive perspirations, which last were supposed to have been brought on designedly by his Holiness, as conducive to the recovery of his health. He gave audiences to the ministers towards the end of August, notwithstanding the pain and

feebleness occasioned by his illness, which had deprived him of his natural cheerfulness and affability, and had rendered him irritable and capricious, so that it required the united force of a cultivated understanding and a pious temper to moderate the pressure of his bodily infirmities, and to restore his habitual urbanity. At this juncture a letter was received by the Secretary for the "Affairs of Jesuits," from the Vicar-general of Padua, informing him that some ex-jesuits had appeared before him and had indulged in the most violent imprecations against the Pope, asserting that the month of September would terminate his existence.

"An engraving was also published in Germany exhibiting, on the left hand the figure of Death, with the likeness of Christ on a flag: on the right side was a staff, supporting a sort of tabernacle, in which was represented an ex-jesuit, dressed in the habiliments of a secular priest. At the top, were the letters IHS, and at the bottom, the inscription *Si finis erit!* (Behold the end!) There were, besides some German verses, declaring that although the Jesuits had been compelled to alter their dress, they never would change their opinions, and immediately afterwards, the following text from 1 Kings, xxxv 18.—qVoD bonVM est, In oCVLIs sVIs faCIe The letters printed in capitals, when joined together give the number MDCCLVVVVIIII, 1774, the year in which Clement died.

"A fever supervened to the symptoms described

above. This happened on the evening of the 10th September. It was accompanied by a sort of fainting, and an excess of debility, which seemed to threaten the speedy extinction of life. Ten ounces of blood were taken from him the same night, without any sign of inflammation; nor did his breathing, his chest, his bowels, or his evacuations give any cause for alarm. The coagulation of the blood took place in a satisfactory manner, notwithstanding the declared opinion of his physician, that the complaint arose from a deficiency of serum, caused by the profuse perspirations his Holiness had undergone. He was free from fever on the morning of the 11th, and continued so during the whole day; he had so much recovered on the 12th, that he wished to take his usual walk on the 14th and 15th, and even thought himself equal to the fatigue of going to the Castel Gandolfo, where he seemed to enjoy the prospect of spending his time in the country, according to his custom at that season.

"But on the 15th he relapsed into his former weakness, to which was added a deep sleep, night and day, till the 18th, when he awoke for a few minutes. On the 19th it was perceived that he had fever, together with a swelling of the abdomen and retention of water. Some blood was taken from him, which, however, gave no sign of inflammation. Besides which, the bowels, when pressed, caused him no uneasiness, and his breathing and chest were

perfectly unincumbered. An access of fever in the evening made it necessary to repeat the bleeding, and the same operation was renewed on the 20th, although the pulse had become softer, and the swelling had abated. This satisfactory state went on improving, till his Holiness was considered to be rather better. But the inflammation returned in the evening, and the hope of his amendment had so far disappeared, as to make it appear proper to present him with the holy viaticum.

" He passed a night of great agitation. On the 21st he was bled again. The fever, the swelling, and the retention still continued. At length the extreme unction was administered to him that evening, and about half past seven o'clock, on the morning of the 22d September, 1774, he surrendered his soul into the hands of its Author, sanctified by contrition and piety.

" About the same hour on the succeeding day, they proceeded to open and embalm the body, when the countenance was already observed to be livid, the lips and nails were black, and the back had assumed a dark complexion. The abdomen was swelled, and the whole body emaciated, with a sort of cedar colour approaching to the appearance of ashes, but which, nevertheless, allowed here and there to be seen some livid spots beneath the skin about the arms, the sides, and the lower extremities.

" On dissection, it was discovered that inflammation and gangrene had commenced in the left lobe of

the lungs, adhering to the pleura; the opposite lobe was also inflamed. They were both loaded with blood; and when the knife was put into them a sanguineous discharge took place. The pericardium was opened, and the heart was diminished in size by the total want of those humours which are found in that membrane. Beneath the diaphragm, the stomach and intestines were filled with wind, and in the last stage of mortification. The œsophagus was inflamed throughout its whole interior, as far as the pylorus and the small intestines, with an evident tendency to gangrene, as well as the upper and lower divisions of the stomach; and all these parts, as well as the intestines, were covered over with a fluid which the physicians call black bile. The liver was small, and in its upper portion contained some particles of serum; the gall-bag was unusually distended, and was observed to contain a great quantity of atrabilious fluid; a large deposit of lymph had also taken place in the cavity of the belly; the dura mater was swelled, but presented no remarkable appearance in itself, except that of flaccidity. The intestines and viscera were placed in a vase, which burst open about an hour after sunset, filling the chamber with an insufferable stench, notwithstanding the embalming had only been finished a few hours before. On the next morning, 24th September, it was considered necessary to call in some physician; he found the smell unabated, the countenance swelled and discoloured, and the hands quite

black. On the back of the hands bladders had risen as high as two fingers, running across each other, and filled with lixivial matter, as if blistered with some boiling or ardent fluid.

" Besides this a great quantity of serous humour, mixed with clotted blood, trickled down the lower side of the bed, and spread profusely over the floor. This circumstance very much surprised the professional attendants, especially considering that life had not been extinct four-and-twenty hours, and that every precaution had been resorted to by cleansing the body, and removing the viscera, as well as by embalming. It was consequently proposed to enclose the body in a coffin, but the master of the house (major domo) suggested that such a step was likely to have a bad effect upon the public mind, and prevailed upon them to be satisfied with such means as their art afforded. The pontifical habiliments, when removed, carried away with them a large portion of the *skin* and even of the *cutis*. The thumb nail on the right hand was detached, and on trying the other, every person present was convinced that the slightest movement was sufficient to separate all the nails in succession.

" In the dorsal region all the muscles were disunited and decomposed to such a degree, that towards the middle of the back and by the side of the spine, for the size of three fingers, there was found a large lump formed of the supercostal and intercostal muscles—on making two incisions the embalming was seen entire in the chest.

"Except on the legs and thighs, a sort of breaking out was observed all over the body. Various additional precautions were employed, and the incisions that were made caused a discharge of fluid which had the appearance of bubbles.

"It was also remarked that a great part of the hair of the head had adhered to the pillow; and, in short, notwithstanding the body was embalmed afresh, and every endeavour was made by the assistants, it was found absolutely necessary to enclose it, after its removal to St. Peter's, in spite of the suspicious caution with which the medical examiners expressed themselves. Many of the circumstances here related were rumoured throughout Rome, though with some variation; and the people were shocked to the last degree, by the full persuasion that the Pope had been poisoned by means of the Acquetta, which is made in Calabria and Perugia, and which, according to common opinion, has the property of destroying life in the gradual manner I have described.

"Intelligent persons compared together the various prophecies which had been set afloat, and which certainly did not proceed from the spirit of God, since they were in a great measure falsified by the event. In addition to which, we must bear in mind the false reports, the engravings, the threats, the internal commotion that seized Clement XIV, the inflammation of his throat and mouth, the gradual decay of his strength, the chill, the swelling of the

belly, the renal obstruction, the hoarseness, the vomitings, and finally, the livid discoloration of the flesh and nails, the loss of their tenacity, and that of his hair, the dry state of the heart, and the other symptoms which I have enumerated. After all these facts, it seems hardly conceivable that an inflammatory disorder, as the physicians named it, without some violent cause, should leave the blood without any indication of fever during nine successive days. Those persons, though unpractised in the profession, thought themselves authorised in applying to the case of Clement XIV, the distinguishing signs of poison, pointed out by Paul Zacchia, a celebrated Roman physician."

CHAPTER II.

Pius VI. elected Pope.—Ricci, at Rome, refuses to enter into the Prelacy.—The Correspondence of Ricci with the last General of the Jesuits.—The Trial of the ex-General, and his Protestations of Innocence.—Ricci appointed Vicar-General of the Archbishop of Florence.—Efforts of the Grand Duke Leopold for the diffusion of Knowledge, and the opposition of the See of Rome.

ANGELO BRASCHI ascended the pontifical throne upon the death of Ganganelli. He owed his fortune to the General of the Jesuits, who had obtained for him the situation of Treasurer of the Court of Rome, under the reign of Clement XIII.; but, however desirous, he could not do any thing for the society, or its imprisoned chief. It is supposed that the Bourbon princes, before the dissolution of the Conclave, obtained from him a promise to this effect. When it was discovered that he was on the eve of publishing a decree, by which he annulled all the acts and rescripts granted, in the last months of his life, by the deceased Pontiff, on the ground that the

weakness of his intellect afforded opportunities of abusing his signature, these courts took the precaution of having the *five* or *six* last months specified. By this means, they hindered the epoch of the Brief of Suppression from being comprised in this measure, as might have been the case, if an indeterminate or too long a period had been named, as was perhaps the original intention.

Ricci went to Rome in 1775, to attend the rejoicing consequent on the exaltation of the new Pope. His relation to the ex-General, (he passed for his nephew, though he really was more distantly related,) the friendship of the Tuscan cardinal, Torrigiani, who was devoted to the Jesuits, his reputation for moderation and impartiality, which he had attained by his prudence in not taking any part in a quarrel then so important, caused him to be requested to enter into the prelacy; in which, under the present circumstances of the Pope, he had every chance of brilliant success. He resisted the temptation, giving these reasons for his disinclination: "I saw the dangers of such a career, and having well examined the intrigues and cabals of the Court of Rome, I perceived that no where so much as there, is the possibility of continuing to be a honest man incompatible with the idea of what is called making one's fortune, and rising to elevated situations. If any one has succeeded there in preserving his honour, and remaining a perfect Christian, after having entered into the career of the prelacy, I say that he is the *rara*

avis in terris: I made a resolution not even to think of it. So great a horror had I conceived for the tricks and dissimulation which I saw openly practised in the prelacy, that I could not conceal from my friends the disgust which I felt, at seeing the vileness and the courtier-like adulations to which they were compelled to debase themselves." It should not be forgotten that this is said by a pious man, a zealous Catholic, and a bishop.

Ricci, during his stay at Rome, applied for liberty to see his confined relative; but in vain. In the course of the interview which he obtained from the Pope for the purpose of making this request, his holiness, knowing him to be a Florentine, could not conceal his chagrin at the ecclesiastical reforms carrying on by the House of Austria, and by Leopold in particular. He then referred him, as to the matter of his request, to his auditor, Cardinal Giraud, who, after some evasions, refused the required permission. But, in spite of all their precautions, Ricci contrived to carry on a correspondence with the General, by means of a soldier named Serafini, who was his guard; and, through his agency, he received from his unfortunate relation a copy of his examination at the Castle of St. Angelo, and his solemn denial of the justice of the charges brought against him. These documents, which are very minute and circumstantial, were found amongst the papers of Ricci. Although they contain particulars of which the interest has greatly passed away, they are curious, as furnishing authentic

evidence of the pertinacity with which the last leader of this formidable body denied the crimes imputed to himself and his society. His imprisonment, which only terminated with his life, seems to have been an act of great injustice, as far as it was borne out by the examinations to which he was subjected. The following extract from these examinations relates to one of the most current charges against the Jesuits, and is, perhaps, at the present day, the only interesting part which we can select from the abundant materials found amongst the papers of Ricci:—

"18th Question. Had you concealed any money or property in the convent of Jesus? Had you sent any money from Rome for the purpose of saving it, or had others, with your consent and knowledge, done those things?—Answer. This question relative to money was the first that had been proposed to me. Mr. Andreetti informed me, that it was supposed the money which had been concealed, amounted to the sum of fifty millions Italian currency; or 10,700,000*l.* sterling. In a subsequent interrogatory, he told me twenty-two or twenty-five millions, or 4,708,000*l.* or 5,350,000*l.* sterling. He observed that such a concealment made *tempore habili*, would not have been criminal. I then replied, that I had neither concealed money or property in any secret place whatever, nor had any other person so done, with my knowledge or consent. That an individual having made me a proposal, respecting the concealment of property, I had disapproved of the idea,

and deterred him from his project. That a certain sum had been recently forwarded to Genoa, belonging to a foreign mission, which had been entered in the books of the procurator-general; that it had not been sent, in order to be preserved, but appropriated to the purposes of the destined mission. On being asked to whom the same had been addressed at Genoa, I replied I did not know, as that was not under my jurisdiction; that neither myself, nor any one to my knowledge or with my permission, had expedited a farthing from Rome, or placed any assets in the banker's hands, for the purpose of preserving the same, not even to the amount of a fraction. Finally, that the idea of the vast amount of our wealth, either concealed or amassed, was false; that it was a popular report void of foundation, invented perhaps by some malevolent persons, or arising from the splendour in which we kept our churches; that it was a chimera, a delusion, absolute madness, and that I felt astonished how persons of education should have given credit to such a fable. That they ought to feel persuaded and convinced of the falsehood of such reports, from the fruitless researches that had been made during so long a period, and in such a singular manner, to find this pretended hoard of wealth in Rome and various other territories.

"19th Question. What money did the Jesuits of other countries send to Rome? Answer. As much as was necessary for the support of the persons attached to the several departments in the offices of

the General, and as much as would serve to defray the common expenses of the order.—How much did that money amount to?—My answer was that I did not know.—To whom was the same forwarded at Rome?—Answer. To the procurator of each division, or to the procurator-general.—Has there been any account given in of such money to the General?—Answer. I took no account of it, because the procurator of the departments accounted for such sums themselves, to the procurators of the provinces from whence they came.

20th Question. Was any money forwarded to the General for his own use, and of which he had liberty to dispose?—Answer. I received some assets every year, but very little; I always made use of them for the community, either to support the Portuguese, or for the convent of Jesus: I never appropriated one farthing to my own private purposes.

21st Question.—How did the Portuguese monks, who had been expelled the kingdom, and sent to Rome, support themselves, without being allowed any pensions?—Answer. By the assistance of the whole community, as usually happens in similar cases. Such assistance having almost wholly failed, on account of the society being expelled from Spain, Naples, Sicily, Parma, and owing to other circumstances, the Portuguese subsisted on charitable donations which they received; on monies they themselves collected by performing masses; by the sale of plate belonging to several churches; by disposing of the various

paintings, as well as a quantity of furniture, not, however, until the requisite permission had been obtained:—they were also enabled to support themselves by means of pensions derived from the charity of Clement XIII, but of which they were subsequently deprived by Clement XIV; and by the charity of foreigners."

The following is the protest which the ex-General made of his innocence: "Considering how uncertain it is at what time it may please the Almighty to call me to him, and considering that the time cannot be far distant, on account of my advanced age, added to the multitude and the long continuance of those cares which oppress me with a weight beyond my strength, I feel that I ought not to delay any longer the performance of this duty, because it is very possible that my mortal illness may be of such a nature as to render me incapable of fulfilling it in my last moments.

"I therefore now look upon myself on the eve of appearing before the Divine tribunal, the only tribunal whose decrees are founded upon truth, which knows no falsehood, and upon justice, which knows no change. Having long and deeply meditated upon the act I am about to perform, and having humbly implored my merciful Redeemer and terrible Judge, that he will not allow me to be swerved by passion in this last solemn duty, I put far away from me all bitterness of spirit, and all unworthy purpose; and being moved by no other consideration than the

It may not be improper here to notice, thoug somewhat out of the order of date, that the death c the ex-General of the Jesuits took place at the Castl of St. Angelo, in November 1775. His imprisor ment commenced on the 17th of August, 1773 His confidence in the affection of his relative Scipi de Ricci appears to have been unbounded, if w may judge from the measure of the duty which h imposed upon him, inasmuch as he charged th reverend father who attended him to convey h dying wish that Ricci would recommend him t the Almighty by as many masses as he could sa seeing that he was deprived of about 22,000, whic would have been performed had he expired General of the Society of Jesuits.

After his visit to Rome in 1775, Ricci returne to Florence. He had scarcely arrived, when he w made Vicar-general, and Vicar *ad causas* to the Arc bishop Incontri. This prelate had been formerly enemy to the Jesuits, and one of his books, 'De atti umani,' had been condemned loudly by the But of late years he was won over to their part About the time when Ricci was created Vicar-g neral, he had given the liberty to the suppress Jesuits to preach and confess; but their seditio behaviour awoke the attention of the Governme and the Prince, by a letter to the bishops, adopt the circular of Clement XIV, by which these duti had been forbidden to the Jesuits.

In his new situation, Ricci soon displayed

Jansenist principles, though they were not carried so far as afterwards in his bishopric. His designs were opposed by the Archbishop; but that opposition was much weakened by the administration of Leopold. At this period Rome saw with great displeasure the Grand Duke applying himself entirely to encourage education, and to destroy the reign of ignorance, which she had consolidated under her false pretensions. She opposed his views as much as she could; endeavoured to put down the obnoxious catechism of Colbert, to stop the printing of the Ecclesiastical History of Racine, translated by some young priests under the auspices of the Government; and made efforts to check an edition of Machiavel, prepared by the Abbot Tanzini, and Follini, Ricci's secretary, from manuscripts in his possession. This last opposition, however, proceeded only from the local authorities, for when Incontri, the Archbishop, endeavoured to hinder Tanzini from prosecuting his task, by prohibiting him to read a work so strictly forbidden as that of Machiavel, Ricci, by applying at Rome, obtained for him a licence for reading it.

We may remark here, that among the important services rendered by the Jansenists to philosophy, one of the most important was their contending for liberty of thought and writing. The publication of these writings in Tuscany was a benefit, so far as it sapped the despotism of the priesthood, and was

a victory over that redoubtable power, of which it was above all necessary to destroy the reputation of being invincible. A daring publication of Machiavel, that inflexible historian of the Popes and their court, whom Rome has particularly prohibited, and the free reading of whose works proved the contempt entertained of the Pontifical index—this act alone was a benefit to the whole world.

CHAPTER III.

Elevation of Scipio de Ricci to the Bishopric of Pistoia and Prato—Discontent of the Pope at the Ecclesiastical Reforms of the Grand Duke Leopold.—General view of the differences between the Civil and Spiritual Government of Tuscany previous to the accession of Leopold.—The Senator Rucellai.—His labours to free Tuscany from the despotism of the Court of Rome.—His Memoir on the famous Bull *In Cœna Domini.*

THE destiny of Ricci was changed by an event which took place at this time,—the death of Ippolite, Bishop of Pistoia. He died on the 22d of March, 1780. Ricci had no desire to undertake the labours of the Episcopal office which it was wished that he should accept, but he was in a manner forced to do so by his friends. He was received very flatteringly by the Pope, who, however, could not avoid repeating frequently, "Ah! your Grand Duke will have to render an account to God, for so many of his actions which are hurtful to the Church." Ricci replied, "that he hoped he should always enjoy from the Duke full protection in favour of religion, and that he did

not believe him capable of doing any thing ever so slight against the interests of the Catholic Church." But the Pope would not be persuaded, and added in a grave tone, " You are young, but in time you will see it !" and with these words he dismissed him.

Before we proceed to the very curious and interesting details of the ecclesiastical abuses which Ricci was the great instrument in detecting, and of the reforms which he laboured to establish, in opposition to the Court of Rome, amongst a corrupt and depraved priesthood, it may assist the reader in the right understanding of the principal object of these Memoirs, to collect at this point, into one view, the scattered materials for the History of the Ecclesiastical Reforms in Tuscany, which preceded the election of Ricci to the Bishopric of Pistoia and Prato. These materials are to be found in the third volume of the Life of Ricci by De Potter; and though containing many very curious details, they are so encumbered by a mass of contemporary documents of the most tedious and unimportant nature, that we may be readily excused for separating them from matters of very limited importance, to reduce them into something approaching to the shape of a connected narrative.

The Medici had always been very desirous of the friendship of the Court of Rome, and had made it the principal object of their ambition to possess influence with it. The election of the Pope in their time, had, in consequence, almost always depended on the will of that family; and all t

Catholic princes, who had any points of importance to carry with the See of Rome, had regularly endeavoured to secure its good-will. In return for this species of glory, the Medici permitted the Popes to exercise an extensive authority in Tuscany.

The Spanish government, which succeeded that of the Medici, did not meddle with the affairs of the Church, and matters remained on their former footing.

The Emperor Francis of Lorraine followed the same course in the beginning of his reign; but in a short time a great change took place. Count Richecourt was sent from Vienna, to put himself at the head of the Regency, and to govern Tuscany. Powerfully aided by Senator Rucellai, Secretary of the Jurisdiction or Rights of the Crown, (a species of minister for affairs connected with the Catholic worship)—a man distinguished for his learning, his integrity, his firmness, and his zeal for the true interests of the Government,—Richecourt resisted every attempt at usurpation on the part of the Court of Rome, and opposed without intermission its iniquitous pretensions. From that moment the two courts were at open war.

The first rupture which took place between them arose from the acquisitions of property in mortmain, which had been strictly forbidden without the express permission of Government, by a law published at Vienna on the 1st of February, 1751, and at Florence on the 1st of March following. The Coun-

sellor of State, Pompée Neri, and Senator Rucellai, accompanied the publication of this law with *instructions* and *explanations*, in regard to the necessity of preventing an increase of the prosperity of *artificial families*,* at the expense of *natural families*, or individuals, and the accumulation of wealth on the part of the clergy.

These *instructions* and *explanations* are to be found, along with the law alluded to, in the archives of the Ecclesiastical Tribunal *(Jurisdizione)* at Florence.

This important measure, by means of which the insatiable cupidity of the priests was intended to be checked, was followed by an edict relating to the censorship of printed works, which the Government alleged ought to be submitted to the inspection of the civil power, instead of the Inquisitor General of Religion, who, until this period, had possessed the exclusive management of this powerful engine for retaining the Tuscans in ignorance.

To the complaints of Rome, the Regency of Tuscany replied by other complaints; accusing the Florentine Inquisition of abusing its authority, and the Inquisitor at Pisa of having almost murdered a poor wretch, whom he had succeeded in passing off as a heretic, although he had only been guilty of preventing his daughter from yielding to the seductions of the Inquisitor, who was deeply smitten with her.

* Meaning corporations, collegiate bodies, convents, &c.

This event, with others of similar atrocity, induced the Emperor to order the prisons of the Inquisition to be shut, and to demand the consent of Rome to the addition of two lay assessors; a measure which destroyed the inviolable secrecy hitherto maintained in regard to the proceedings of that dreadful tribunal, and deprived it of the means of continuing its iniquities.

The reluctant consent of Rome was also procured, about this time, to the suppression of several convents of nuns by the Government. The Emperor was also desirous of diminishing the excessive number of cures at Florence, on account of their inutility, their poverty, the indecency with which they were managed, the small number of parishioners, the short distance intervening between one church and another, and the great facility which they afforded to criminals of escaping from the arm of the law. The Emperor ceased to nominate curates, and the parishes remained vacant.

Such is the substance of a very luminous memoir, drawn up by Rucellai, on the differences with the Court of Rome. Mention is also made in it of the Inquisition, of which the Government had a short time before recognized the legality, upon condition that it should be organized on the same footing as at Venice. The Holy Tribunal at Florence had established, without any privilege to that effect being conferred upon it, not only prisons but an armed police at the public expense; and it succeeded

easily, notwithstanding measures being taken to prevent it, in eluding every restriction which was attempted to be put on its authority. This was accomplished by means of a tacit understanding on the subject between the Inquisitor and the Archbishop, who remitted to the nunciature those cases of an inquisitorial nature, of which they did not choose that the Government should take cognizance by means of its assessors.

Besides these matters of a general nature, there was also the private affair of Piccolomini de Siene, Bishop of Pienza, who, pretending that he was subject to the Pope only, and not to the Emperor, had carried his extravagance so far as to excommunicate several of the officers of Government in his diocese, and among others, a communal chancellor of Pienza, Rutilus Gini. He had declared him liable to the censures of the Bull "*In Cœna Domini;*" and as he had at the same time expressly forbidden those priests who were under his authority, to administer to Gini any of the sacraments of the Church, so long as he should persist in, what the Bishop termed, "the public scandal of obeying the Government," he was, from his inability to obtain absolution, prevented also from marrying.

After twelve years' endurance of his conduct, the Emperor had this extraordinary prelate conducted to the frontiers of the Grand Duchy, under a guard of soldiers. Piccolomini's turbulence caused him to be received with much distinction by the Pope, Cle

ment XIII, who warmly embraced his cause, and permitted him, within his own states, to excommunicate the Emperor and all his ministers, and to post up the sentence in the usual places.

There were also some differences between Tuscany and the Court of Rome, which arose out of certain places being considered as asylums to which criminals might repair for evading the punishments of the law. These asylums the Government had frequently been obliged to violate for the sake of public justice; and the Court of Rome had promised to conclude a concordat in regard to them, upon condition that they should all be respected by the civil authorities during the time the negotiations were pending. The Government kept its promise; but no progress was made in the negotiation, and the asylums were full of criminals.

Such was the posture of affairs at the accession of Leopold to the Grand Ducal crown. Both parties were dreadfully exasperated. Tuscany looked upon Cardinal Torrigiani, the Secretary of State, as an artful and faithless priest; while Rome considered Rucellai as her mortal enemy.

The least consideration of the measures adopted by Leopold, and of the motives which induced him to become a reformer of the external worship and ecclesiastical discipline of his States, is sufficient to demonstrate that he laid down as the principle of all his operations, an invariable resolution to separate distinctly what was spiritual from what was

temporal; never to intermeddle with the former in any respect, and at the same time never to permit the clergy to interfere in the smallest degree with the latter.

He was always willing to yield to the clergy in things which were strictly spiritual; but at the same time he fully determined not to succumb to them in those which were not within their province. In all his proceedings, he had nothing in view but the good of the Church, and the interests of religion, to both of which he was sincerely devoted. He wished that his bishops should apply directly to himself in all their difficulties; and showed himself ready to assist them to the utmost of his power, whenever a proper and useful end was in view. But they lost all claims to his protection, and even to his esteem, whenever they sought to interfere in matters belonging to the State, with which, he said, they had no concern. It was his desire that the clergy should be respectable, in order that they might be respected.

We shall endeavour to collect, from a variety of elaborate documents preserved amongst the papers of Ricci, a brief view of the ecclesiastical reforms of Leopold, previous to the period when he received the zealous assistance of the Bishop of Pistoia.

The Senator Rucellai, who, previous to the accession of Leopold to the throne of Tuscany, appears to have been the most consistent and determined

enemy to the abuses of the See of Rome, drew up for the information and guidance of his sovereign several very important and interesting memoirs not only on minute points of ecclesiastical discipline, but on the great question of the right of the spiritual power to interfere in matters of civil government. One of the most remarkable of these documents, which have been all preserved in the archives of the *Ecclesiastical Tribunal*, is that bearing date the 14th of July, 1769, in which Ricci combats the pretensions of the Pope to interfere with the civil obedience of the priests by the celebrated Bull *In Cœna Domini*. An abridgement of this memoir will be acceptable to our readers, as it presents many points of peculiar interest to the whole Christian community; particularly at a period when attempts are making throughout *Europe* to revive that dominion of the *Roman Catholic* priesthood, which might have been expected to have been swept away in the great conflict of opinions which has marked the last thirty years.

The Secretary Ricci, in the memoir before us, insists particularly upon the spirit which dictated that eternal monument of priestly audacious, the Bull *In Cœna*, upon the consequences of its being put in execution in Tuscany, on the means of opposing it, and of resisting at the same time the attempts of the Court of Rome against the rights of the Crown.

A sovereign,' says he, owes it to his own dignity and to justice, to defend both himself and his rights

against the invasions of the Bull *In Cœna*, and his subjects against the civil consequences of the measures with which it threatens them.

The foundation of the Romish authority is contained in the "Body of Canon Law," and especially in that part of it entitled "Pontifical Authority;" it is composed of bulls, letters, and replies of the Popes, and of decrees of Assemblies of his Court, and is the instrument by means of which Rome is enabled to convert the priesthood into an engine for the attainment of its political views, even in the States of others.

The Bull, known by the name of *In Cœna Domini*, is a summary of all those ecclesiastical laws, which tend to establish the despotism of the Court of Rome; a despotism which was the work of many ages, which was watered with the blood of many millions of human creatures, founded with the spoils of many debased sovereigns, and raised on the ruins of many overturned thrones. The principles of that Bull pervade, and are interwoven with, every part of the canon law, which is publicly taught in Catholic seminaries.

The Bull *In Cœna* was the origin of those scandalous differences between the priesthood and the Empire, which happened in the eleventh century; differences totally unknown until the Church began to speak a language invented by the Court of Rome, in order to abuse with impunity the power of the keys, by means of the factions of the Guelfs and

Ghibellines, which she brought forth and fostered. It was the origin also of the Inquisition, which it supported in its greatest enormities, of the crusades, of its censorships, interdicts, &c. &c.; all these it employed, first to balance, and then to pull down the different powers of the Empire; to strip it of one part of its States in Italy, and out of them to erect itself into a species of new monarchy.

Sovereigns, not unfrequently deposed by their subjects, or rather by the subjects of the priesthood, and being incessantly threatened by fanatics who were devoted to the Church, were compelled by necessity to trust their defence to the pens of civilians. Their rights, or the rights of the empire, were ably supported by Pierre Cugnères, Paris, Pierre des Vignes, Marsile of Padua, and Dante, of all of whom the Court of Rome found little difficulty in getting rid, by declaring them attainted and convicted of heresy—at that period, the most dreadful of all crimes.

This attempt, which ended so unfortunately for its first promoters, was the origin and beginning of the religious reformation, which was finally adopted, with the exception of France, by every nation which was not inclined to remain in a state of slavery. The kings of France, who dreaded a reform, succeeded in avoiding it, by allowing their subjects to be harassed by those civil wars which Rome lighted up under the pretext of religion: by maintaining endless disputes with her; and at length by accept-

ing a system of rights, professedly granted to them alone, under the name of the "Privileges of the French Church," which the Court of Rome abhors at heart fully as much as reform and heresy.

Italy, where the love of political liberty had rendered the people almost vassals of the Court of Rome, which they defended against the Emperors, not because they thought its pretensions well founded, but because it defended them in its turn, with the only weapons which could be advantageously employed against those of the Empire,—excommunications and interdicts,—Italy was subjected to all the abuses arising out of the sacerdotal system. To this we may add the mercantile spirit which the Italians of these times considered as the main spring both of political principles and events, and we shall then have no difficulty in believing that they conceived themselves interested in supporting the Court of Rome in every measure and enterprise, however unjust, in order to secure to it that supreme authority over the Catholic world, which attracted to them the riches and wealth of all Europe.

Rome, considered in a political point of view, was at that period the bulwark of Italian liberty; in a mercantile point of view, the source and cause of Italian prosperity. To maintain this character, it was necessary she should preserve her power, and this she could only do by means of the gross delusion of pontifical authority.

Scarcely had the new Italian Governments been

rid of all fear, in regard to their independence from abroad, than they began to dread encroachment on the part of the sacerdotal body, and changed immediately their system and their conduct. Without openly declaring their opposition to the monstrous pretensions of the Court of Rome, they endeavoured to invalidate them by means of new laws, all passed about the same period, whose object was to restrain the papal authority, and the personal immunities of the clergy.

To speak only of Tuscany, it was about that period that the bishops and the tribunals of the inquisition were deprived of their prisons and armed servants, and that steps were taken to prevent the latter, as much as possible, from doing mischief: that the power of the bishops was limited, and the Court of Rome restrained from appointing them according to her caprice; that the temporal portion of benefices became dependent on the public authority, from which the *Exequatur* took its origin: that opposition was indirectly made to the too frequent transference of property into the hands of the clergy, and that measures were taken to subject any new acquisitions, which they might be enabled to make, to the same changes as other property similarly situated.

This indirect method, however, of opposing the Court of Rome, was soon neutralized by that same court, so well skilled in the art of invention. She brought forward what she termed "*Ecclesiastical* Privilege,"—an occult right, comprehending every

pretension which Rome has put forth till the present time, or which she may wish to put forth in future. By means of this pretended right, it is impossible to imagine a single human action, over which she may not exert her influence and authority, if it is in any conceivable way connected with her interests.

Every thing that was in the least degree inconsistent with, or contrary to this ecclesiastical privilege, either directly or indirectly, was from that moment comprised in the Bull *In Cœna*, and anathematized as such.

This occurred in regard to the laws of which we have just spoken. The Court of Rome maintained that they were null and void, because they had not been passed by legitimate authority. The States in which they had been promulgated were excommunicated, laid under an interdict, and attacked by the temporal forces of the reigning Pontiffs, or by the subjects of other States, whom the Court of Rome had armed against their sovereigns, because these sovereigns had ordered the laws passed in favour of their subjects to be put in force.

Rome extended in this way its despotic authority over all the States of Italy, and in a special manner over the Republic of Florence, until it adopted the system pursued by the Spanish civilians. These authorities, taking the pretensions of the Court of Rome for what they were, without any examination of their merits, guarded the Govern-

ment against any abuse which might result from them, by demanding that every order or prohibition, and, generally speaking, every writing or document emanating from that court, whether of a spiritual or temporal nature, should be subjected to a censorship. It was the duty of the censors to examine whether they were contrary to any existing law of the State, and to take care that they should not become binding until, with due consent from the sovereign, they had been lawfully published in his dominions.

The necessity of the *Exequatur* (of legal publication) is the basis of the jurisdiction and rights of the Crown, in every State where the Roman Catholic religion prevails; and if the law were strictly executed, and every infraction of it regularly punished, the power of Rome would cease to be a subject of alarm, as well as a source of mischief.

The Court of Rome was the first to perceive the consequences which would necessarily result from enforcing this law, and consequently to condemn it. It declared all those who should order its execution, or who should execute it themselves, to be under the censures of the Bull *In Cœna;* but even this produced not the desired effect, and Rome was obliged to tolerate the existence of the *Exequatur.*

All its cunning is now employed in endeavouring to elude it, which it sometimes does, even in the case of the most enlightened Governments. The Govern-

ment ought, consequently, to be always on its guard, in order to detect its attempts, and to restrain the clergy who abet them.

The difficulty lay in finding out in what way those who transgressed the law of the *Exequatur* should be punished. Rucellai gives it as his opinion, that extra-judicial and summary punishments would be unjust, because they savour, says he, so much of arbitrary authority, which forms no part of a sovereign's rights.

Besides, says he, summary judgments are forcible means, which the stronger party employs against the weaker, because he cannot proceed against him in a legal manner; or, because those against whom he puts them in practice, are not liable to the operation of the law. Rucellai consequently does not judge it prudent to allow, even tacitly, that the clergy are in either of these predicaments; as its only effect would be to render the clergy more interesting and venerable in the eyes of the people, and to augment its authority by a diminution of that of the sovereign.

Rucellai was desirous that the priests should be punished as transgressors of the national laws, and that their obedience to the Bull *In Cœna* should cease to operate as an excuse for them; not because it was not published with the *Exequatur*, (for it cannot be concealed that it has been published every where, is still published, and its principles taught in the schools, and inculcated on penitents by their confessors,) but because it was demonstratively unjust,

subversive of all the rights of sovereignty, of law, of good order, and of public tranquillity.

As long as the Government shall not have declared itself openly and freely on the subject, it ought to pity, rather than punish, the priests who are the principal executors of the Bull *In Cœna* in the penitentiary chair, where they are only permitted to decide according to the orders of their Bishop. The Bishop, in his turn, is only an instrument of the Court of Rome, and has been the wretched slave of her caprice ever since she succeeded, by means of false decretals, in stripping episcopacy of its just, unalienable, and imprescriptible rights, and in changing into an oath of fidelity and vassalage that profession of faith which is made before being admitted a member of the Church.

That oath is, in fact, a solemn promise, not only to be unfaithful to one's lawful sovereign, but even to betray him, as often as the interests of the Court of Rome may render it necessary.

Governments, by allowing such an oath to be taken, thereby recognize it as obligatory.

The priests who observe it, by putting in force the Bull *In Cœna*, and refusing absolution to those who violate it, or who do not repent of having violated it, are rebels to the Government of their country, which has proscribed it; those who do not observe it, are necessarily perjured.

If the priests who have to decide between such disagreeable alternatives are objects of pity, much

more so are those pious people deserving of compassion, who consider it their duty to surrender their judgment into the hands of their pastor.

Rucellai proposes, as a remedy for all these contradictions, to consider the Bull *In Cœna* as an unjust civil law, enacted by the Pope, which he would willingly put in force in the dominions of other sovereigns, and to forbid, by an edict, its direct or indirect publication.

It appeared preferable to Rucellai, that, by a declaration on the part of the ecclesiastical power itself, both the priests and their hearers should be freed from the obligation, *in foro conscientiæ*, of observing the Bull; but such a declaration could only emanate from the Pope, who would never make it, unless he were compelled to it by an union of all the Catholic Governments; or, unless he saw clearly, that it was as much his interest to annull it, as it was formerly his interest to establish it, in despite of religion and every thing that was sacred.

In the mean time, it will be necessary, says Rucellai, to adhere to the proposed law, which, when reduced into proper form, may be communicated to the Court of Rome, in order that it may prevent its publication by the only means in its power, namely, the abrogation of the Bull. In the event of adopting this plan, it will be necessary to convince the Court of Rome that Government has taken its determination, and that no negotiation or species of treaty can take place on the subject.

The order of the Grand Duke to suppress entirely the Bull *In Cœna Domini*, and the command never to mention it in future, in Tuscany, became the law of the land, according to the advice of Rucellai. But this law, before it could be brought into full force, had to be frequently renewed. For example, in a circular letter of the Secretary of Jurisdiction, addressed to the Bishop of Pistoia (Ricci's predecessor) on the 7th of August, 1772, it is asserted that the Government had been apprised of the Bull *In Cœna* (proscribed in every Catholic State) being still affixed to the sacristies and confessionals of some churches of the Grand Duchy, and of some persons having had the hardihood to publish it from the pulpit or the altar, during the holy week.

De Potter here introduces an anecdote relating to this Bull, which will help to illustrate the retrogression which every pretended restoration to which they are subjected, causes in the people under the dominion of arbitrary legitimacy.

"In 1815, Ruffo, Archbishop of Naples, a relation of the famous Cardinal Ruffo, published a list of reserved cases, among which were infractions of the Bull *In Cœna Domini*. King Ferdinand IV. having been informed of this violation of the laws of the kingdom, ordered his minister for ecclesiastical affairs to cause the list of reserved cases to be suppressed by the Cardinal whose name it bore, and to reprimand in severe terms the monk who had drawn the prelate by his perfidious counsels into such an

act of disobedience, threatening him at the same time with banishment from the Neapolitan territory, if he attempted again to disturb the public tranquillity.

The minister, in executing the orders of his sovereign, employed one of his principal assistants, Luc Cagnazzi, a priest and archdeacon, to write to Cardinal Ruffo.

After the fall of the Neapolitan constitutional Government, when Ferdinand had been restored a third time to the plenitude of his sovereign good pleasure, Luc Cagnazzi was stripped of his office, solely and simply because he had, agreeably to the instructions of the minister, who only obeyed his sovereign, composed the letter in question: his dismissal was demanded by the Cardinal.

We have given such a long abstract of this very eloquent and argumentative memoir, because the Bull *In Cœna* is actually invoked by the Court of Rome; because it regards it as still existing in full force, and because it grants to its ministers *even now-a-days*, power to absolve those who might be weak enough to believe that they had incurred its penalties. After this dissertation, Rucellai adds, that all that he has proposed is merely a precautionary measure; and that the sole political purpose of every measure relating to religious jurisdiction ought to be to put the clergy on a level with the laity, in as far as relates to the duties of citizens, and to abolish all their immunities, both real and personal; and that while

that end remains unaccomplished, there will always be "a State within the State," and an everlasting source of controversy and dispute.

He proposes, in order to attain sooner and more certainly this end in Tuscany, that all the inferior prelates possessing jurisdiction, such as abbots, priors, guardians of convents, &c. should be obliged to exhibit their election-patents, in order to obtain their confirmation by Government, which should endeavour to keep them as much within its control as possible. He proposes also, that they should be subjected, as well as the bishops, to an oath of fidelity, which should bring both them and their jurisdiction within the immediate influence of the civil authority. By the adoption of these measures, there will be nothing to dread from those prisons, which can scarcely be refused, for example, to several religious orders, and are tolerated by the State. The special point is to prevent them from possessing clandestine prisons, which would be infinitely worse than allowing them legal ones, or permitting them to elude the prohibition to possess them by any of those equally criminal means, which theological morality, of which they are the inventors, may suggest to them. Experience proves that, in the present state of things, the superiors of certain orders, which hold a middle rank between cynicism and stoicism, make frequently a very bad use of their prisons, concerning which no regulation has been made by the civil

authority, and which they nevertheless cannot do without, because reason alone is insufficient to secure to them a proper degree of respect. It is therefore an indispensable duty of the Government to keep a watchful eye on these prisons, in order to ensure the safety of those individuals who are obliged to live under a despotism, more uncontrolled and absolute than that of an African tyrant.

The oath which must be required of them is only the means of recalling to the minds of the priests who take it, their natural duties as citizens—duties which are born with them, and from which the ecclesiastical profession which they have since adopted, cannot emancipate them. The oath must be so clear as that those who conscientiously believe it their duty to observe the Bull *In Cœna*, may refuse to take it, and also to accept the bishopricks and preferments which can only be obtained by taking it.

The sacerdotal power will remain invulnerable as long as those who exercise it believe that they have a right to be distinguished by peculiar privileges and immunities from their fellow-citizens. Every thing which reduces them to a level with the laity, diminishes in the mind of the public the idea of their independence, and consequently destroys what is in reality the true basis of Romish grandeur. The oath by which they will be bound will certainly produce that effect, and will besides furnish

a strong ground for proceeding against them in case of their infringing the law.

It is highly probable that the Court of Rome will oppose the taking of the new oath; and perhaps go so far as to prohibit its being taken; allow the bishopricks to remain vacant, and by that means render the administration of the sacraments more unfrequent and more difficult; but she will in that case have to contend with the whole body of priests, whose preferment and increase of revenue (the only thing really interesting to them) it may have been the means of checking, and that, too, for reasons which scarcely affect them in any way. If the Court of Rome can once be convinced that the Government is determined not to yield in the struggle, nor even to enter upon any negotiation for the purpose of accommodating matters, from which, by means of her usual chicanery, she could hope to obtain any advantage, she will end by giving up the point herself, lest she should lose the whole of her rights in endeavouring to preserve a part of them. From the moment that she takes such a step, the promises which her clergy may make to her, will appear to them only obligatory in so far as they are not in opposition to the oath which they had taken to Government with the consent of Rome herself.

During the five centuries that Catholics have been governed by pontifical authority, the Court of Rome has employed all the means in her power, in order

to fix as an irrevocable principle, that "the clergy are not under the authority of the State in which they reside," and that they are the subjects of Rome alone, in as far as relates to their persons and property. She has never, however, nor will she ever, dare to avow such a principle openly; all that she requires is, that the clergy on whom she inculcates that belief should be fully persuaded of its truth. They, on their part, pride themselves upon avowing themselves in public the subjects of Government, whenever it happens, which is not seldom, that it suits their interest to profess it—that is, whenever it happens that they are desirous either of bread or of honours. Rome, on her part, cannot condemn the oath which is proposed, on the score of novelty; for it has been taken in France and in other countries: nor can she condemn it on the score of its being imposed upon individuals who are not subject to the general laws of the kingdom; for such a proposition would be odious in the extreme, and rouse the attention, even of the most careless Governments, to such unheard-of impudence and audacity, especially at a time which is by no means favourable to any usurpation on the part of Rome, on a point so important and so delicate.

The right of the *Exequatur* is of very ancient date in Tuscany, is more extensive in its operation than in any other country, and has never been attacked, except by the Court of Rome. She, however, has a very simple method of evading it. As

it is only necessary for the execution of decrees or bulls before the civil tribunals, when that is required, these decrees, whether bulls or briefs, if they concern in the slightest degree the privileges of the sovereign, are simply addressed as letters to the Bishops and Inquisitors, who take care not to have them printed in Tuscany; all of them, consequently, are in the same situation as the Bull *In Cœna;* that is to say, that though not rendered obligatory by legitimate authority, they are actually put in force by the Bishops, and by the Confessors in the discharge of their duties;—in a short time afterwards they are inserted among the acts of the Diocesan Synods, and in the Pastoral Instructions of the Prelates, and thus become the law of the land, without their existence having ever been recognised by it.

Rome fails not to take advantage of this defect in the legislation of Tuscany, in order to rule in it with supreme authority; nor can she be prevented from doing it, otherwise than by passing a new law which shall be obligatory on the Bishops, their Episcopal Courts, and every one who is invested with authority to execute the most trifling command of the Court of Rome. Besides this, it will also be necessary for the Secretary of Jurisdiction to preserve all the bulls and briefs of that court, as well as the decisions of its tribunals and congregations, and after having examined them, to accompany them with a report as to whether they are or are not obligatory, in order that the *Exequatur* may be

put in force, or the refusal of it, which Government may have thought proper to make. A national tribunal will also be necessary for taking cognizance of the complaints of those who are wronged by the ecclesiastical power, threatened with, or actually lying under its censures; and this tribunal must be invested with authority sufficient to compel the Bishops and their officials to suspend or revoke these censures in the manner prescribed.

Censures are the only arms which the Court of Rome can employ to gain the victory in her disputes with the civil power in matters of jurisdiction; and they will become null and void when once it has been established beyond the possibility of dispute, that they can only take effect and be put in force by means of the *Exequatur*, which they must obtain from that same civil authority.

CHAPTER IV.

Anxiety of the Grand-duke to procure information on the abuses of the Church.—Letter to him from Father Villensi, pointing out some necessary changes.—Letter from a Nun, complaining of the irregularities of her Convent. — Memoir of Rucellai, on the scandalous conduct of a Confessor. — Mendicant Priests.—Abolition of the privileges of Sanctuaries.—Letter of Rucellai on the abuses, both as to number and discipline, of the Religious Orders.

THE vigilant attention of Leopold to ecclesiastical abuses in his dominions, was kept alive by the communications which he invited and received from private persons. Of the nature of this correspondence we may collect some curious particulars from two documents found amongst the archives of the reign of Leopold.

Father Villensi, Friar of Santo Vito, addressed to the Grand-duke, in 1768, a letter, in which he suggests the best means of diminishing the abuses which disgraced the religious system.

He begins by requesting his Royal Highness to

keep his name secret, unless he wishes him to run the risk of being stoned to death. He then proceeds to propose the extirpation of mendicity amongst the priesthood, which would render the people more active and industrious; promote the extension of commerce by causing a fall in the price of provisions; enrich the monkish hospitals, almshouses, and orphan asylums, by diminishing the number of those persons who were most burthensome to them; and disperse that crowd of vagabonds who, by the crimes of every kind which they are always ready to commit, and even by the example of the idle and irregular lives which they lead, are continually increasing the number of those miserable wretches who already do, or will soon, resemble them. The most vigorous and robust of the mendicants, says the Prior, might be sent to work in the marshes (*Maremmes*), and the lame and infirm deposited in houses of seclusion, for the maintenance of which the convents ought to pay what they formerly disbursed, if we may believe them, in the way of charities.

He complains of the insults offered to the Councils of the Church by the numerous bulls and briefs which are constantly manufactured in the Datary's office at Rome, in favour of all who petition, and especially of all who pay for them; and quotes among other examples to the same effect, the permission (contrary to the regulations passed by the Council of Trent) of saying mass before the age of

twenty-five; that of contracting marriages within the prohibited degrees, &c. &c.

With regard to the Convents, it is his wish that their excessive wealth should be employed for the benefit of the State, and the support of the indigent; that the 300 crowns per annum (70*l.* 18*s.*) and something more, which the carriage of the Abbot costs, along with the money expended on his domestics and furniture, should be appropriated to the use of the hospitals; and that this reverend worthy should perform his journeys on foot, as the founder of his order formerly did, and intended his successors to do; that the monks should no longer go out, except in company with some one of their order, under pain of banishment; and that they should be prohibited from transacting the business of their establishments, and be released from the necessity of holding any intercourse with the laity, either male or female, in buying or selling; and that a secular person attached to the convents ought to be entrusted with the management of these matters, so as to allow the monks to devote their attention to the rules of their order. For the same reason, the monks should be released from the spiritual care of souls, which continually distracts their attention from the duties of their professions. They must also be prohibited from either demanding or accepting, from the Court of Rome, brevets or privileges which drain their purses, and authorize them to violate their by-laws. Superfluity of every kind ought to be banish-

ed, even from the churches and sacristies, the simplicity of religion only demanding what is absolutely necessary for the proper performance of its rites. The importunate and scandalous crowds of begging friars ought to be suppressed; the visits of generals, vicar-generals, provincials and inspectors, which have always been a great source of expense, and have never given rise to the least reform, prohibited; and no one allowed to make profession in any order, except at a very advanced age.

It would also be highly proper to suppress six or eight convents of nuns, (there are more than sixty in Tuscany,) and apply the funds arising from them to the maintenance of hospitals for the poor. Those which remain ought not in future to be governed by priests who do not understand the business, but by a layman, in order that their revenues, which are constantly augmenting by additional portions, may not in reality decrease, as they have too often done on former occasions. It would perhaps be even more useful to dispose of the property of the female convents; and to form it into a bank, which after paying twenty per cent. to Government, would afford them the two per cent., which they were in the habit of drawing from it.

The Prior complains bitterly of the great number of priests resident in Florence, who neither knew nor could do any thing beyond saying a mass. Want, says he, compels them to employ themselves as intendants and preceptors in large families, to

buy, to sell, to manage the domestic affairs of their masters; to conduct their children to the promenade, and even to take charge of a stable at so much per month, as if they were grooms; all in the hope of obtaining a benefice from the family by which they are employed. The proper method of remedying such disgraceful practices, would be to refuse benefices to all those who had descended to such degrading services. The poorer priests might, if it was deemed proper, be allowed to confess the nuns, after the monks had been deprived of the office, and they would gain by that means what the latter were in the habit of receiving for it. Those ecclesiastics who are constantly in pursuit of honours and dignities, who busy themselves in intrigues to obtain them, and then recruit themselves from the fatigues of their despicable intrigues in places of public amusement, might undertake, *gratis*, the administration of hospitals, visit them for the purpose of seeing that the duties were properly discharged, &c. This would be a great saving to these useful establishments, and a subject of noble emulation for the young priests, who would be thereby led to consider the practice of virtue, and zeal in the cause of beneficence, as the only way of accomplishing their desires.

The scandal which arises from those priests, denominated coachmen, and postilions, &c. from their saying mass as if they were running post, and who are constantly in a hurry to go from one church to another, in order to do as much business as possible,

ought to be put an end to. The sacristies might also be served by laymen; which would diminish the useless and truly frightful number of clerks of the lower classes, who, like the two hundred clerks of the Metropolitan Church, waste their time till the age of twenty-five without learning any thing, and then get themselves consecrated as a reward for their pretended services. People would not then make it a subject of remark that Florence, out of a population of 80,000 inhabitants, maintained 3000 priests, whilst out of a population of 400,000 at Vienna, there were only 300. The theatres, coffee-houses, and other places frequented by masks, would also be less encumbered with their presence.

He is also anxious that the Archbishop of Florence should keep a watchful eye on the tax-office *(chancellerie des taxes)* for bulls and benefices, in order to put an end to every thing in the shape of arbitrary impositions, and that, if possible, by means of an invariable rate for each act of grace.

He demands a reform of the festivals, according to the Bull of Benedict XIV, in regard to the legality of which the Archbishop of Florence had given rise to some doubts and scruples, by the publication of one of his Pastoral Addresses. By transferring the observance of the festivals to the Sunday following the day on which they are held, twenty-five days more labour could be performed in the course of the year; and the twenty vigils, which occasions such an enormous expense in salt-fish, would

be suppressed; while the festivals would be much better, and much more decently observed.

The other letter to the Grand-duke, to which we alluded, exhibits in a singular manner the enormities committed in the female convents through Tuscany. It was addressed to Leopold by a nun of Castiglion-Fiorentino; and it probably led the way, in some degree, to those investigations of the most scandalous abuses, by which Ricci subsequently rendered his ecclesiastical career so remarkable.

The nun, in the very beginning of her letter, says that she could not dispense with writing directly to his Royal Highness.

"Our convent," she adds, "is at present dependent upon, and under the direction of the Minor Observantins,* and is consequently in a state of the greatest irregularity and disorder. Things have come to such a pitch that the superior, and the old nuns, confine themselves entirely to their cells, and occupy themselves in various employments, without paying the least attention to what goes on between the other nuns, and those persons who have the privilege of admission within the walls of the cloister. I had for a long time observed, that the factor of the convent carried on intrigues with some of the young nuns, and that his intercourse with one of them was indecent in the extreme. In order, however, not to form too hasty and unjust a judgment of them, I

* Des frères récollets, ou Mineurs Observantins.

one day concealed myself in a neighbouring apartment, and feigning to come out of it, I succeeded in discovering that they were in the habit of committing the most indecent actions. Since that time, whenever the factor makes his appearance, I always remain, under pretence of age (being nearly fifty,) below with my work, and walk backwards and forwards, in order not to allow him an opportunity of being alone with the nuns. It was the Abbess who was the means of engaging that factor, which she did almost by force, against the opinion of others who thought him too young. She is very angry with me, and will certainly not fail to punish me in some way or other.

"I cannot complain to the Provincial; for the Monks will not listen to any complaints of the kind. Their answer uniformly is, when any are made, that they proceed from malignity and calumny; while those who speak to them concerning them, are declared to be foolish, scandalous, and turbulent persons, who spy the actions of others, who do not behave like true nuns, and who ought to be imprisoned, &c. The nuns are therefore obliged either to allow such enormous irregularities to go on unchecked, or to run the risk of imprisonment for life, under some false pretext. No one cares, in fact, whether or not a nun remains alone with the factor, whilst her companions are at table, or are attending mass, the communion, or the chair. If any amusement is going forward, the factor is invited to the convent,

where he shuts himself up in a room with one of them, and sometimes with two, if they happen to be those who are intimate with him.

"The monks, in order to ensure themselves against dislike on the part of the nuns, overlook the whole; for your Royal Highness must know that our confessor, who is always selected from that body, is supported by the nuns, who must supply him with every thing which he desires, during the time that he is obliged (for the purpose of doing his duty) to occupy a dwelling in the neighbourhood of the convent. Finding themselves well provided with every thing which they want, these monks think of nothing else, and do not give themselves the least trouble about the abuses which prevail in the convents. There are even some of them who make love to the nuns, and it is past all doubt, that they render them much more impudent than the lay members who are guilty of the same practices. Some years ago, a monk was found in the convent during the night, and expelled from it by the bailiffs. The affair in consequence got wind, and became universally known. The monk's name was *Pancrace.*"

The nun, however, is of opinion, that the case of the factor was much more blameable, inasmuch as his duties provided him with constant opportunities of sinning. She therefore supplicates the Grand-duke, to order a nobleman, on whom the factor was dependent, to recall him to Florence, without allow-

ing it to appear that he was at all acquainted with the irregularity of his conduct: "For," says she, "if what I now write to you were known, it would be sufficient to cause me to be poisoned by my companions, who are totally given up to vice." She requests the Prince to speak to the Provincial, and to tell him, that "if she is punished under any pretext whatever, he will take from him the direction of the convent, and transfer it to the Bishop. Would to God that this were already done!"

The above letter is dated 22d May, 1770, from the convent of St. Jerome, at Castiglion-Fiorentino, and signed Sister Lucrèce Leonide Beroardi.

Leopold dismissed the factor.

The scandalous wickedness of some members of the priesthood, under the cloak of religion, and by a perversion of its authority, were known to the Grand-duke as early as 1766. In this year the Senator Rucellai addressed to his Prince a memoir relating to the intrigues of the Tuscan Inquisitors, of the higher orders of the clergy of the Grand-duchy, of the Nunciature at Florence and of the Court of Rome; all of whom laboured in concert to elude the wise laws of the late Emperor. The occasion was as follows:

A lady of the name of Maria Catherine Barni, of Santa Croce, declared on her death-bed, that she had been seduced through the medium of confession, and that she had during twelve years maintained a criminal intercourse with a priest, Pierre Pacchiani, Prior

of St. Martin, at Castel-Franco-di-Sotto, who was her confessor. She denounced him to the Bishop of St. Miniato, on the 4th of May, 1764.

He had assured her, according to her deposition, that, by means of the supernatural light which he had received from Jesus and the Holy Virgin, he was perfectly certain that neither of them were guilty of sin in carrying on this correspondence.

Maria Magdalen Sicini, of Santa Croce, whom she had pointed out as being in the same predicament with herself, deposed on the 4th and 9th of July, that generally about an hour after the confession was over, Pacchiani had a criminal intercourse with her in the vestry; that she knew well enough that she was committing sin, and that she made confession of it afterwards to Pacchiani himself, who excused her because it had been done with good intentions.

This lady named another, Victoire Benedetti, who, at her examination on the 28th of the same month, made a declaration to the same effect; only adding, that she had not had the least scruple in regard to her connexion with Pacchiani.

The trial of this priest for heretical propositions belonged properly to the Inquisition; but after a good deal of intrigue and manœuvring, the affair got into the hands of the Archbishop; next into those of the Nuncio; then into those of the Court of Rome; and Pacchiani, who had been dismissed, finally returned to his parish.

The Government was made perfectly acquainted

with the whole transaction; but in such a way as to be unable to take any notice of it. It was also aware that Pacchiani had been guilty of several disgraceful tricks; that he was in the habit of compelling the dying to make wills in his favour, by threats of refusing to administer the sacraments; that he had used his endeavours to prevent Barni from making any confession on her death-bed; that his Bishop had been obliged to imprison him, in order to remove him from a convent of nuns; and, finally, that he had delivered from the pulpit a discourse full of sedition. The Grand-duke, about the beginning of 1766, caused him to be dismissed.

The scandal brought on the doctrines and professors of religion, by the wretchedness and demoralization of the mendicant priests, was brought before the Grand-duke, by Rucellai, in 1766. He replies to the inquiries of his sovereign, by detailing various considerations, as to the best means of diminishing the excessive number of these wandering drones, who, without either nomination or benefice, swarmed in Tuscany, and especially at Florence, on account of the college or seminary of the cathedral. This seminary was composed of an hundred and thirty young men, who were employed in the service of the church, and of whom no fewer than sixty-six were annually consecrated, as a reward for their services. Rucellai was of opinion that a diminution of the number of young men in this seminary would give rise to a great outcry, and would fail in accom-

plishing the end in view. It is the patrimony of the Church which we must diminish, says he, if we wish to diminish the number of those who live by it; and who would become disciples of Mahomet, if the revenues which they enjoy were appropriated to Mussulmans. In his opinion, a diminution of the wealth of the clergy, under existing circumstances, was altogether impossible, without a complete overthrow of the political system. To fix it definitively in such a way as to prevent its increase, appeared to him extremely difficult, on account of the tendency of every body of men towards prosperity, and more especially of every sacerdotal body; it being but too true, that religion and wealth go hand in hand together.*

The only part of this measure which could have been easily executed, and to which it is astonishing that the Government had never yet turned its attention, was prohibiting the priests from accepting additional foundations for perpetual masses, which they increased in number by every pious fraud which they could devise. These foundations infected Florence, more than any other place, with the refuse of the clergy, who were attracted from the neighbouring dioceses by the profits arising from the masses.

There was also another method of accomplishing the object in view; namely, to unite all the simple

* Essendo pur troppo vero, che chi dice religione, dice ricchezza.

benefices and obligations, &c. upon which the useless part of the clergy lived, and who, in this way, would soon have disappeared; but the consent of Rome was necessary to the adoption of this measure; and it would, undoubtedly, have refused to co-operate in the execution of a plan contrary to its policy, prejudicial to its finances, and destructive of its authority.

The Senator concludes by giving it as his opinion, that it would be much better to make use of the means already at the disposal of Government, — which, though they might be slow in accomplishing the end in view, would attain it much more certainly and quietly;—considering always the increasing wealth of the clergy as an evil necessarily connected with the present system—as a malady inseparable from the political body. For this purpose it will be necessary, says he, to oppose, both constantly and vigorously, that maxim of the Church, so contrary to the Gospel, to the Councils, and to the writings of the Fathers, "that the Church forms a State within the State;" to treat the persons and property of ecclesiastics in the same way as the persons and property of other citizens; to return to those Christian times which preceded the thirteenth century, or even to those of Gregory VII, when, not to speak of the eight preceding centuries, during which the property of the Church was considered as public property, belonging to the State, and entirely at the disposal of the civil authority—the clergy and their property were not a whit more dangerous to

the State than other wealthy persons and their property, because they were then undistinguished by any prerogatives, privileges, or immunities. Rucellai counselled Leopold to put his authority in force; to exercise a real *(de fait)* jurisdiction over his clergy, by exercising it over their property; to prevent the augmentation of their territorial wealth, by applying the law of the late Emperor, concerning the acquisition of property in mortmain, which had already restored much land to commerce and circulation; to keep the clergy in check by the dread of extra-judicial and summary sentences of banishment and sequestration against their persons and revenues; and to avoid endless and fatal quarrels with the Court of Rome.

One of the greatest abuses of the power of the Church in Tuscany, and the most shameful obstacle to the progress of civil justice, was the number of asylums reputed sacred, whose privileges had filled the churches of Tuscany with vagabonds and disturbances. The Grand-duke was perfectly aware of his right and authority to abolish this abuse, without the consent or intervention of any one; but he was willing to concede somewhat to the respect due to religion and its ministers, and on this account proposed the ratification of a concordat, which should confer upon him the same privileges which had been bestowed on the other Catholic powers, or failing in this, the adoption of some provisional measure. He was, in fact, determined not to suffer any

longer, in his dominions, disorders which Rome herself, notwithstanding her desire to protect them in those of others, would not tolerate in her own; and which, being beneficial to criminals only, were a disgrace both to religion and to the Government.*

Leopold caused the reflections which Rucellai had made on the concordats concluded by Rome, relative to asylums, with Naples in 1741, with Sardinia and Piedmont in 1742, and with Austria for the States of Lombardy in 1757, to be submitted to his consideration. The inconveniences of those concordats, and of every concordat whatsoever, by means of which the Court of Rome succeeded in procuring from sovereigns a recognition of the legality of the pretended rights which are the object of the treaty, are clearly pointed out in that document. Rucellai preferred to these different concordats, the scheme of a provisional regulation presented by the Abbé Neri, which on the one hand contained concessions on the part of his Royal Highness, and on the other offered the greatest advantages on the score of humanity and philosophy; by both of which Leopold was desirous that his ad-

* A memoir of Rucellai, of date 9th of May, 1764, shows clearly that Tuscany was completely filled with churches. Florence alone reckoned 320, of which the farthest from one another were not above 300 paces; they occupied one half of the ground which had been built upon in the town, and had enjoyed for more than 163 years all the privileges granted by the Bulls of the different Popes.

ministration, and especially his criminal legislation, should be characterised.

This scheme, which received Leopold's consent, did not admit in future of the inviolability of the asylums in any case whatever; but provided, on the other hand, for the remission of capital and mutilating punishments, in the case of those who might be taken from the asylums; and also, for the remission of a third part of every other punishment of a lesser degree than those already mentioned. By these means the objection was removed which existed in regard to the exceptions and explanations admitted in the concordats; exceptions of which the tortuous policy of the Court of Rome, which decided upon them, enabled her always to take advantage, and of which she never permitted any one to foresee the intention.

The abolition of capital punishments (for we cannot consider the provisional regulation alluded to as necessarily involving that consequence,) would certainly, says Rucellai, (4th December, 1765,) have displeased those who work upon punishment as the basis of all government, and the main spring of every political system; but he reckons on the magnanimity and extraordinary talents of his Royal Highness to refute them. The Abbé Neri observes that capital punishments had been dispensed with in several States, without the least inconvenience; and that it is the certainty of punishment, and not the measure of it, which restrains mankind within

the line of their duty, and checks the commission of crime.

The Grand-duke, in consequence, gave orders to Baron St. Odile, his minister at Rome, to commence negotiations on this subject with zeal and promptitude, and not to rest satisfied either with the words, or the dilatory and uncertain promises, with which that court always colours its refusals. The reiterated orders and numerous couriers of Leopold could not, however, get any thing satisfactory from the Cardinal Secretary of State, to whom he caused it to be announced, that if he would not condescend upon a clear and categorical answer, he was determined to proceed with it.

The Court of Rome, in spite of the continued remonstrances of the Grand-duke of Tuscany, evaded for several years any settlement of the question of asylums. Leopold at last determined to act for himself; and the year 1769 was remarkable for the great reform introduced by him, which at length restored to Justice both the strength and the liberty which she required for the prevention of crime, by the salutary terrors of unavoidable punishment, and re-established order and security in his States, under the protection of impartial laws, which allowed neither privilege nor exemption.

The Grand-duke, who had communicated to the Court of Austria the documents which related to the differences existing between him and the Pope in

regard to asylums, and the plan which he had formed for repairing the mischief which the inviolability of these refuges had engendered, received by Count Rosenberg, who arrived on the 3d of November from Vienna, the approbation of the Empress; and consequently, on the 8th of the same month, he informed the Court of Rome, that he had caused the malefactors in his dominions to be taken from the asylums and immured in prisons, where they were to enjoy the immunity which they claimed, and to be treated with all Christian charity.

On the same day his plan was put in execution at Florence, at Sienna, and at Grosseto, and the next day in the rest of the Grand-duchy.

Leopold, surrounded with the most learned and enlightened persons in Tuscany, and well skilled himself in ecclesiastical history, was perfectly aware that during the nine first centuries of the Church, the clergy took no part in civil matters beyond the intercession of the bishops and priests with the Supreme Authority, for some diminution of the punishment incurred by criminals.

The decree of Gratian was the first which claimed for the ecclesiastical body the power of judging persons who were accused of crimes; but it was not till 1591 that Gregory XIV. originated the abuse and scandal of asylums, by pointing out eight crimes to which that privilege could not be accorded, and by ordaining that the ecclesiastical tribunals should

henceforth finally decide whether those who had taken refuge were or were not within the excepted cases.

The privilege of asylums was everywhere diminished: in France, even in the time of Leopold, the Church did not interfere in behalf of criminals; and in Germany, very seldom. In the Low Countries, as well as in Italy, very vigorous measures had been taken to do away with the abuse, which nevertheless has always been more slow in these cases than other Catholic countries, on account of its propinquity to Rome. Venice had, however, given the example, and it had been followed by Lombardy, Turin, Parma, Naples, and even by the Pontifical States.

Tuscany, therefore, was the only country in which the most atrocious crimes, as well as the most trifling offences, remained not only unpunished, but even encouraged and protected by the privilege of the churches. Assassins, fratricides, poisoners, incendiaries, deserters, robbers, sons of the nobility who wished to withdraw themselves from paternal authority; monks who had subjected themselves to punishment from their superiors, or soldiers from their officers; those who had contracted debts, &c. &c.—all took refuge in the same asylum, were all equally well received, and lived in a state of the greatest disorder.

They frequently disturbed the performance of divine service, and often maltreated the clergy; committed crime after crime, insulted and even

wounded those who attended the church, where they had been received without shame, and even supported and openly defended. There they kept a school for the instruction of the young in robbery and swindling, sold contraband goods, and stolen wares. They had prostitutes among them, slept pêle-mêle under the porticoes, and not unfrequently had children born to them during the time that they remained in the asylum. They ate, drank, worked at their trades, and kept open shop in the churches. They wore concealed arms, arrested the passengers in order to ransom them, and fired at the agents of the police if they happened to pass by. They sallied out secretly to commit fresh robberies and assassinations, and returned within the sanctuary of the church, in order to enjoy, without fear, the protection which the temple and its ministers granted them.

The convents were, however, the greatest receptacles of criminals, whom the monks treated remarkably well, on account of the benefit which they derived from their domestic labours, and because they could use them as instruments for the commission of those frauds which they were desirous of executing, and as apologies for those of which they were themselves guilty, and which they failed not to place to the credit of their guests: they employed them particularly in a contraband trade for the use of the convent, to which they were much addicted, especially in the country.

It may be sufficient for illustration to produce a single example of all these abuses, to the existence of which many people can still bear witness, in Tuscany, and from which Leopold entirely delivered it. A short time previously to the reform of the asylum, the monks of the convent of St. Spirito, at Florence, carried their impudence so far, as to allot a chamber among the novices to a robber who had attempted to kill his own brother.

Such was the deplorable state of that beautiful part of Italy. There were, on the suppression of the asylums, eighty refugees, of whom a third had been guilty of wilful murder, and the rest, either for cutting or maiming the inhabitants, or of committing extensive robberies.—Several of them had made their escape from the galleys.

It was determined, in consequence, not to allow them any longer the privilege of asylum, and a law was passed which enjoined the public authority to seize, for the future, every refugee, in whatever asylum he might be found, (civil debtors, not fraudulent bankrupts, only excepted) and to carry him before the ordinary tribunals, for the purpose of being sentenced, if sufficient cause was shown, to ten years' confinement in irons, in case of his crime deserving capital punishment; to five, if it deserved ten; and so on, always mitigating the punishment, out of regard to the sacred spot on which he had been apprehended. This was the only method of managing the affair, so as to preserve the rights of

the sovereign entire, to show a proper degree of respect for the privileges of the churches, and to put an end to irregularities and crimes, which the honour, the dignity, and even the conscience of the prince, forbade him to tolerate any longer.

The last document which we shall select, as illustrative of the ecclesiastical condition of Tuscany, before the administration of Ricci, contains some curious details of abuses, both as regards the number and discipline of the religious orders. It is a letter of Rucellai, dated 11th December, 1770, written in reply to some questions which the Grand-duke had addressed to him.

Leopold had requested him to make out plans, 1, for diminishing as quickly as possible the number of convents in Tuscany, and of the individuals inhabiting them, and also for preventing foreigners from becoming inmates of them; 2, for the prevention of religious vows, at an earlier age than twenty-four years; 3, for prohibiting mendicants of religious orders from receiving novices before the age of sixteen or eighteen; 4, for suppressing all convents of mendicant orders containing fewer than twelve persons; 5, for enabling the secular priests only, and especially the curates, to preach in the country, and for preventing the monks from exercising that function; 6, for excluding the monks from the direction of female convents, which ought to be regulated in spiritual matters by the ordinaries only.

Rucellai says in reply, that he will endeavour to comply with the wishes of his Royal Highness on these points in such a way as to produce the least possible embarrassment to Government, and to give no more offence to the Court of Rome, nor any greater shock to the prejudices of the people, than he can well help.

The support and duration of religious orders depends, says he, partly on the success of the monks in procuring recruits, and partly on the interest which families have in supplying them with them. This could not possibly be the case if perpetual vows were not taken at so early an age as sixteen; that is to say, at an age which has no safeguard either against seduction or violence. The monks accordingly showed themselves particularly anxious, at the Council of Trent, to retain this privilege, in order, as they said, to prevent the destruction of the monastic establishments.

This avowal, on their part, points out the line of conduct which ought to be adopted by Government: for as the vows which the individual takes upon him, deprive him of various rights which he formerly possessed, and free him, much to the prejudice of his fellow-citizens and of his country, according to the tenour of the Canon law, from the performance of various duties which he was bound to discharge to society, the temporal or civil power ought to regulate every thing relating to solemn vows and professions, in the same manner

that it regulates all other civil acts, and to limit and modify them agreeably to what its existence and its interests appear to require.

It is absolutely necessary that the sovereign should have it in his power to prohibit the putting on of the religious habit without his express permission. Rome, however, has always opposed such an exercise of authority, to the utmost of her power. She saw clearly that the establishment of such a regulation would, in the end, destroy, or at least greatly weaken, her religious communities, "which she justly regards as so many collective bodies of her subjects; that is to say, as armed legions, which she maintains abroad at the expense of the countries in which they so blindly execute her orders. These orders she veils with the mantle of religion, and has the art of getting them as well executed by those to whom she intrusts them, as if they had a personal interest in doing what not unfrequently exposes them to all the vengeance of their Governments."

Rome will be just as clamorous against the adoption of any measures for regulating the time and mode of taking vows, as if these measures were offensive to the Almighty himself.

Rucellai would not fix any age, as the lawful one, for the solemn profession of vows, unless Rome consented to it; this he does not believe that she would do, even though she were compelled, for the

purpose of giving a refusal, to recognise the superior authority of the Council of Trent, to which she would probably have recourse under such circumstances, although she has violated its decisions in so many others. The ulterior obligation of vows, taken canonically at the age of sixteen, would therefore still remain; while the sovereign would only have succeeded in obliging his subjects to deceive him.

He proposes to prohibit the adoption of the ecclesiastical and religious habit, under any pretext whatever, before the age of twenty-one.

Children who submit to the tonsure at the age of seven, and young people who enter the convent at fifteen, although not bound by any particular obligation, do not afterwards leave off their religious profession. "That profession, in the present state of things, is one which is expressly made for those whom circumstances had designed for a life of industry; namely, for the great mass of mankind. From the age of seven or ten, till twenty-four, young people, destined for profession, are only taught the service of the church, a little Latin, and some theological definitions—a kind of knowledge which cannot be exchanged to much pecuniary advantage, except by the clergy." They must embrace this profession, therefore, either voluntarily, or by force; and even when they are totally incapable, and their conduct has been such as to render them utterly

unworthy of being admitted into it, the bishops, through compassion for them and their family, make no scruple in letting them pass.

One might almost say that they had become monks or priests, from the very moment they put on the livery of the Church, which, by depriving them of all other means of making a livelihood, necessarily condemns them to the exercise of the ecclesiastical profession; we may even add, that they have bound themselves to become priests when they should be of age to embrace the profession, in the same way as an apprenticed mason, by exercising his trade in his early years, binds himself to it for the rest of his life. Rucellai shows that his scheme, so fit for rooting out, at a single blow, the whole of the inferior clergy—that is to say, the greatest part of the ecclesiastical hierarchy—would give great offence to the Court of Rome, terrify the people, and be productive of embarrassment to the Government.

In regard to diminishing the number of nuns, he is of opinion, that nothing can be done in that way without previously facilitating marriages (that is, before having rendered them useful to those who contract them,) or having procured for women some middle resource between marriage and religious profession—a resource which did not exist in Tuscany. The Government will therefore be obliged to rest contented (the state of the revenues of the

convents being well known) with prohibiting the superiors from receiving more novices than they have the means of supporting, the number of which ought to be fixed; as well as from receiving any portion along with them at the time of taking the vows.

If the sole question relate to diminishing the number of monks, great care ought to be taken in endeavouring to accomplish that object, lest the means employed should have any tendency to fill the Tuscan convents with foreign monks; to incite the Tuscans to adopt the profession elsewhere; or, finally, to prevent young students from other countries from repairing for their education to the Tuscan monasteries.

The step which ought to be adopted, is to cause an exact account to be given of the temporal wealth of the monks; and when that has been procured, to fix the precise number of individuals whom they are able to maintain, and, consequently, to receive in each establishment. This ought to be accompanied by an order to observe strictly the injunctions of the Bulls, the rules, and institutes of the different orders; by which means those small convents in the country, which are prohibited by the Bulls, and which, besides being totally useless to religion, are a source of scandal to the people, and of impoverishment to a very valuable class of the community, the villagers, will be at length abolished. The funds

arising from this source ought, whatever may be the clamours of the Court of Rome, to be appropriated to beneficent institutions, as is the case at Venice and other places.

There are various religious orders who live solely by begging alms; such as the Capuchins, the Observantines, the Barefooted Carmelites, the Augustines, and others, who, though originally mendicants, scarcely retain any trace of their profession, beyond the mere name and the pontifical privilege attached to it. St. Francis intended his disciples to live by the labour of their hands, and only to implore the aids of charity when they found themselves unable to earn what was necessary for their subsistence. The Pope and the theologians declared, that the only labour which had been ordained for them was entirely spiritual; while the Council of Trent, departing from the strictness of their rule, gave them power, like the rest of the mendicant orders, (the Capuchins and Observantines only excepted,) to acquire and possess property. The income of these monks must be exactly ascertained, by calculating the product arising from their masses, the charities which they receive, and the profit accruing from the direction of the convents. When that has been done, their numbers must be restrained, and every species of begging, especially in the country, forbidden, as well as all the pious frauds which they employ in the churches for making

money; such as enrolment in the third order, devotion to the name of Jesus, to St. Anthony, &c.

Wherever the existing revenues are found insufficient to maintain such a number of these parasitical plants as it may have been deemed necessary to support, notwithstanding the progress of civilization, Rucellai advises the Government to make up the deficiency by means of pensions. Society will thus purchase, says he, by the sacrifice of a small sum of money, a deliverance from the dangerous influence, both in a moral and political point of view, to which the scandalous beggary of the clergy subjects it. Besides, adds he, by giving them a pension, the Government will acquire an authority over them, which it never could have obtained in any other way, and will have it in its power to diminish their numbers as it may deem proper, by diminishing their salaries.

CHAPTER V.

Examination of Ricci before Pius VI.—Ricci in his Diocese.—Disorders of the Dominicans.—Disputes of Ricci with the Dominicans on the subject of their Convents.—His Contests with the Ex-Jesuits.—The Superstition of the Sacred Heart.—Different attempts at reform.

AFTER the digression we have just made, the length of which will be excused for the interesting information it contains, we return to the narrative of Ricci's life. He underwent the customary examination of a bishop before Pius VI. The ceremony appears to have been very disagreeable to him, for he is afterwards found repeatedly complaining of its humiliating nature, and of the conduct of the Court of Rome in insisting on this and similar things, to bring the bishops more completely under its authority. In this examination the candidates for episcopal orders are obliged to be on their knees, in the midst of a numerous assembly, presided over by the Pope, while the examining prelates, chosen from

the regular priests, question them. Ricci, however, got through this task with credit. Whoever, he says, knows the formalities, knows that the examiners communicate the questions beforehand, and even tell them from what author they wish the answers to be taken; because they have no less fear of being themselves embarrassed, and making a sorry appearance before the assembly, than the examined can have; who, if he do blunder a little, is always sure of being excused. The ceremony of his consecration, as Bishop of Pistoia and Prato,* took place on the

* Prato had formerly been divided from Pistoia. Some anecdotes connected with the history of these Sees occur in the original Memoirs of Ricci, which would not interest the English reader.—The following may perhaps be excepted:—

"At the commencement of the seventeenth century," says Ricci, "during the discussions on the dismemberment of the diocese of Pistoia, the city of Prato was scarcely recovered from the frightful pillage which it had suffered, when it was taken by the soldiers led by the Cardinal John de' Medici, afterwards Leo X., against his country, the Republic of Florence. This Cardinal, who was as bad a citizen as he was a cruel instrument of the ambitious projects of Julius II. whom he served as legate, placed himself, it is said, at a short distance from the city, whilst the soldiers assaulted it. He there ran great risk of being killed by a shot from a culverin, which struck the window, from which, like another Nero, he enjoyed the frightful spectacle. Even in my time they exhibited to the curious, in the convent of St. Anne, near Prato, both the window and a part of the wall broken by the shot. They show also, in the middle of the court of the ancient house of the Provosts, which I afterwards used as my episcopal residence, a large well,

24th of June, 1780. In his discourse, he is depicted by the Abbé X. as pious, mild, simple, pure in manners, beneficent, void of ambition, ardent for the good of his diocese, and of all the Catholic Church; and a friend to reform, as far as his views extended.

He had not yet gone to Pistoia, when he learned that a canon of that city had been imprisoned for robbery; and before leaving Florence, he obtained an order from the Grand-duke, that the culprit should be shut up in his convent to do penance there. By

now filled up, which is recorded to have swallowed up about six hundred innocent victims to the fury of the soldiers, as well women as children and old men, which the sanctity of the church, in which they had taken refuge, could not save from the massacre. Their bodies, dragged away from the precincts of the temple, had been heaped together, like the flesh of the shambles, and were thrown into this horrible grave, till it became necessary hastily to clear the holy place of so many carcases, when the victor Cardinal was about to make his triumphant entry. The prince of the church, by a rare act of generosity, granted his pardon to a small number of unhappy wretches who remained alive after this fearful catastrophe."—Paulus Jovius contradicts this narrative, as Ricci himself admits. That historian contends, in his Life of Leo X., that John and Julius de' Medici, and their cousin Julius, afterwards Clement VII. used all their efforts to restrain the barbarity of the Spanish soldiers. But Ricci maintains that Jovius, protected and favoured by the Medici, was unlikely to give an impartial relation of such an event; and he maintains, that the privileges granted to the inhabitants of Prato, after this period, were only a sad compensation for such a terrible massacre, of which the remembrance was even fresh at the time he was writing, in 1803.

this means he avoided a proceeding which would have been scandalous to the clergy.

His first care, on arriving at Pistoia, was to employ all the means in his power to reform the Dominican nuns of the convent of St. Lucia. Before his time, the Bishop Alamanni had been obliged, in 1764, to take the spiritual management of the convents of St. Catherine and St. Lucia at Pistoia into his own hands, on account of the disorders reigning in them. He had received the express order of his Government to do so, and had obtained the consent of the College of Cardinals, the See of Rome being at that time vacant. He now deemed it necessary, at the same time, to remove from the convent the Dominican monks, who had been their former directors. The nuns of St. Lucia were so much affected by this unexpected attack, that he never could succeed in reducing them to obedience. After his death, the Bishop Ippoliti, for four entire years, laboured in vain for the accomplishment of the same object. These unhappy victims of monachal seduction obstinately refused to listen to the authority of their pastor; and some of them preferred giving up the sacraments altogether, to receiving them from the hands of the secular or regular clergy, whom the Bishop had marked out to administer to them the consolations of religion, after the Prince had prohibited the Dominicans from approaching them. There was among them a novice

who never would make her vows before the Bishop, because she would not promise obedience to any one but the General of the Dominicans.

When Ricci complained at Rome of these disorders to the Pope, and avowed his suspicions that the monks alone were the cause of so much obstinacy on the part of the nuns: "Can you doubt it?" said Pius VI.; and immediately afterwards he uttered a violent sally against the General of the Dominicans, whom he painted as a troublesome and obstinate man. He charged Ricci to assure the nuns, that it was his formal intention to leave them, for the future, subject to their Bishop, and not to the friars; and that they should have no scruple, on account of the obedience which they had promised to their General.

Fortified by this pontifical authority, the new Bishop gradually brought the Dominican nuns under his jurisdiction; made them accept a new confessor, and even prevailed upon the novice to make her vows. He confesses, however, that he could never flatter himself with having effected more than a half conversion, and that there was need of constant vigilance to guard against the underhand intriguing of the Dominican friars.

In Prato, also, he abridged their power, and made them submit to his episcopal jurisdiction; but the affront which wounded them to the quick, was an order which he who knew or suspected their con-

duct, issued, that no friar should go into a convent of nuns, unless solely in case of necessity, and always with surplice and stole, to administer the sacraments. They used every effort to obtain the repeal of this order.

The Jesuits, though abolished as a body, still kept up their intrigues. With this zealous and pertinacious sect Ricci had a violent dispute, on a superstitious observance, called, the Devotion to the Sacred Heart of Jesus. That order had always been very zealous in the cause of *candidates*. Pope Clement XIII. had supported them; but Clement XIV. utterly destroyed their plans. The Jesuits at Pistoia had sounded Ricci on his inclinations with respect to this, their favourite devotion, while he was at Rome. A man at Prato had wished to establish an annual festival, to found a perpetual mass, and to obtain indulgences in honour of the Sacred Heart. It may be easily conjectured how Ricci treated this proposal; but Cardinal Rezzonico made no difficulty of granting the request, and sent a brief to that effect to Prato, whence it was returned by the Pro-vicar to Ricci, who kept it in his hands, without giving it any currency.

This first abortive attempt was followed by a second, after he had taken possession of his bishopric. On the 3d of April, 1781, he was at Prato, on occasion of the solemn benediction of several bells destined for the cathedral of that city. When he

came into the church, and at the very moment of commencing the office prescribed for this religious ceremony, he was warned that it was intended to deceive him; but there was no time to inform him in what the snare laid against him consisted. Accustomed to the intrigues of priests, he promised that he would not let himself be surprised; and suspecting that some fraud lurked under the request that he should baptize the largest of the bells in honour of Jesus Christ, he refused to do it. The pretext he alleged was, that as all bells were dedicated to God, there was no need of a particular ceremony for that, and he gave the bell the name of St. Stephen, the patron of the town. When the office was concluded, he went to admire the workmanship of the new bells, in order to have time to examine them; and he discovered under the garland of flowers with which the principal bell was rather covered, than ornamented, the inscription, *In honorem SS. Cordis Jesu.* At the sight of this he could not contain his indignation: he caused the inscription to be effaced, and complained of it to the Grand-duke. For this recourse to the civil power Ricci was bitterly blamed by his enemies, and those of *social order.*

This devotion to the Sacred Heart caused Ricci still farther trouble. Salvi, a man deeply imbued with the spirit of the suppressed order, exposed throughout Prato, his native place, where he was Prior of the church of Notre Dame, pictures

of the Sacred Heart, which he surrounded with rich ornaments, calculated to keep up the superstition of the people. He added indulgences, obtained from Pius VI. in favour of this new devotion, although it had not been previously verified and recognised for authentic by the Bishop, as the Council of Trent requires. Finally, he openly supported a fraternity illegally formed and introduced into Tuscany, in honour of the Sacred Heart of Jesus.

"Every body knows," says Ricci, "and fatal experience has too fully proved it during the troubles which still agitate Europe, how many machinations the Jesuits set on foot, under the protection of Pius VI. to re-establish their society. They imagined that this doctrine of the Sacred Heart would be the most proper centre and point of union for all who should labour to that end; with this view, they neglected no means, no artifice, to promote and establish this worship. The Popes before Clement XIII. had generally opposed it on religious grounds. After the suppression of the Jesuits, this superstition made little progress, on account of the vigilance and firmness of Clement XIV.; and in all probability, had that pontiff lived * longer, it would have been bu-

* The historian of the Life of Ricci here inserts a note, which has for its object to prove the authenticity of the letters of Ganganelli. The Abbé de Belgarde thus expresses himself on this curious point of literary history, in two letters to Ricci, written in 1776:—

ried with the suppressed order. "But God," says Ricci, "wished to try his church, in order to pacify it, and has permitted that this devotion of the Sacred Heart should revive in all its force under Pius VI. who scattered indulgences in handfuls on the *Cordicoles*."*

Salvi was their apostle at Prato. He was cited to Florence by the Senator Bartolini, to answer for his conduct, but the cunning Jesuit seduced this magistrate from his duty, and Leopold, who was as good a Jansenist as Ricci himself, had to reprimand him, and order him to apologize to Ricci for his conduct. The Bishop treated him on this occasion

"Have you seen the letters of Ganganelli? there are a good number of them addressed to the late Messieurs Lauri and Cerati. You and M. Martini ought to have read them. You are, of course, aware that there are some persons who throw doubt upon the authenticity of these letters; some through passion and interest, as the ex-Jesuits and infidels; and others through a fastidious spirit of criticism. For myself, I freely avow that I have not the slightest doubt on the subject. Independent of the evidence derived from the work itself, I have seen in the original, the letters of many persons of authority in Rome, of which transcripts had been furnished, which, in other points too, prove the truth of this publication." In another letter, the Abbé de Belgarde adds, "I have the satisfaction of knowing, that persons who have the best means of judging, particularly the Cardinal de Berni, regard the letters of Clement XIV. as authentic."

* The worshippers of the Sacred Heart.

with the greatest attention, but could not win the obstinate heart of the Jesuit.

He publicly, in a pastoral letter dated June 3, 1781, exposed this superstition, and thereby called down on himself the reproaches of Serrati, one of Leopold's secretaries. Leopold was occupied in the most interesting reforms, yet such was the nature of the silly controversies in which he and his ministers were engaged.

The city of Prato was entirely under the influence of the monks. The Jesuits and the Dominicans exercised there the most absolute power, the former directing the education of the youth of all the principal families of the neighbourhood, and the latter managing the female convents. The Bishop was considered as little more than the chief personage of the place; his spiritual authority was nothing. In this situation of things, Ricci, jealous of his power, and especially so when religion and morality demanded its rigorous exertion, could hardly remain long without a dispute with the monks. Their first difference originated in the nomination of a Dominican confessor and preacher, in which dispute Ricci saw himself overcome by the want of discretion in the Vicar-general, who took part with his opponents.

For a century and half previous to this, the total corruption of the Dominican order had been a matter of scandal throughout Tuscany. The

spiritual direction which the monks had of the convents, instead of being, as it originally was, favourable to religion, had degenerated into a source of the basest profligacy. A petition, dated 1642, still exists, in which the Gonfalonier of that period, and other representatives of the people of Pistoia, address the reigning Duke, praying for a reformation in the convents of the Dominicans of St. Lucia and St. Catherine. Ferdinand, however, did nothing, and the honour, says Ricci, was reserved for Leopold.

Two nuns of the convent of St. Catherine of Pistoia, who had exposed to him the execrable principles and doctrines of the Dominican monks, their directors, gave rise to his wise reforms. They proved how much the profit which the monks, and above all, the Provincial and the Confessor, drew from their convent, as well as from others, hurt the temporal interests of these religious houses, and were gradually ruining them. They gave equally strong proofs of the spiritual ruin produced by the familiarity of the monks with the nuns, and the easy communication which they had with them. They ate and drank with their favourite sisters, remained alone with them in their cells whenever they chose, and whenever they could find a pretext, slept during the night in the cloister. Long habit had in fact so accustomed them to the greatest licence, that scarcely any respect for public decency remained. We shall here insert, from the justificatory

notes appended to the Memoirs, the declaration of the nuns of St. Catherine of Pistoia, which was presented to the Grand-duke Leopold in the year 1775. It is as follows:

"Instead of allowing us to remain in our simplicity, and protecting our innocence, they teach us, both by word and action, all kinds of indecencies. They frequently come to the vestry, of which they have almost all the keys; and as there is a grate there, they commit a thousand indecorous acts.

"If, moreover, they get an opportunity of coming into the convent under any feigned pretext, they go and stay alone in the chambers of those who are devoted to them. They are all, more or less, even the provincials, of the same stamp; and they are not ashamed to take advantage of the circumstance of the visitation for those purposes. They utter the worst expressions, saying that we should look upon it as a great happiness that we have the power of satisfying our appetites without being exposed to the annoyance of children. They say that when this life is ended, all is ended; and they add that even St. Paul, who wrought with his own hands, should teach us; and that we should not hesitate to take our pleasures.

"They allow every kind of indecency to go on in the parlour. Though often warned by us, they do not break off the dangerous intimacies that are

formed; and hence it has often occurred that men who have contrived to get the keys, have come into the convent during the night, which they have spent in the most dissipated manner. They also suffer the nuns to neglect the sacraments: they never think of introducing the practice of mental prayer, and they preach nothing but the pleasures of this life. The sisters who live according to their maxims are extolled by them and indulged in every extravagance; and the others must either go with the stream, heedless of conscience, or live in a state of perpetual warfare, as is actually the case with us now.

"This is the real truth. We the undersigned attest it, without passion, and on our conscience.

"I Sister Anna Teresa Merlini, Madre di Consiglio.

I Sister Rosa Peraccini, Madre di Consiglio.

I Sister Flavia Peraccini, Madre di Consiglio.

I Sister Gaetana Poggiali.

I Sister Candida, Gioconda Botti.

I Sister Maria, Clotilda Bambi."

This intercourse of the monks and nuns was in fact, according to Ricci, arrived at such a point of infamous licentiousness, that topics of the most disgusting nature formed the usual subject of their conversation; while the greater part of the sisters deprived themselves of their money and every thing else to satisfy the rapacity of their lovers, performed for them the most servile offices, and even some-

times went by the name of their wives. A person who had been, when a youth, in the service of the Dominicans, told me, says the Bishop, not only what has just been mentioned, but many other things of a still worse kind, and that his principal employment had been that of a confidential messenger in their love-intrigues. Leopold, already well informed of this condition of the convents, to obtain still farther information had the *fabriciens* of the establishment examined, and found every thing he had before heard confirmed. He next had all the nuns themselves examined by the Lieutenant of Police; and seeing the necessity of some prompt and vigorous measure, appointed the Bishop Alamanni to take without delay the spiritual superintendence of all the Dominican convents of Pistoia, and prohibited the Dominican monks, on pain of imprisonment, from approaching them. The necessity of this measure is apparent from the notes already quoted. While Ricci was still Vicar of the Archbishop of Florence, it was reported to him that in a convent of that diocese where the nuns all slept in a common dormitory, the two last beds were for the father confessor and his lay brother, that they might have them in case of being called to assist any sick sister during the night. Ricci immediately summoned one of the principal monks of the order of the Conventual Minors, Father Tomaso Bargellini, theologian, examiner &c. of the convent of Ognissanti, and menaced him with the wrath of the

Grand-duke, then greatly incensed on account of the affair of the Dominicans of Pistoia, of which the memory was still fresh, if he lost a moment in amending the disorder that was complained of. The two beds immediately disappeared.

Alamanni resided at Florence, but, though at a distance from his diocese and eighty years old, he rendered an exact account of every thing which occurred, and gave minute directions on every occasion of difficulty or doubt. Neither his gentleness, however, nor his kind feelings for the nuns, could overcome their pride and obstinacy. They constantly refused to regard him as their superior, or to show the least confidence in the confessors he appointed. They asserted that, by acting in a contrary manner, they should have incurred the excommunication of Pius V.; and the dread of this was so strong with many, that one who was dangerously ill at St. Lucia, never requested the sacraments. With many, we may believe, this was the effect of ignorance, but there is every reason to think that in others it arose from vicious passions and the desire of their safe indulgence. The monks, the nuns, and even the Cardinal-protector of the order, omitted no opportunity of assuring them, either by letters or secret emissaries, that if they continued firm, the tempest which menaced them would in a little time be gradually dispersed. By this means the nuns were confirmed in their obstinate resistance,

which they persevered in, though deprived, in consequence, of all the succours of religion, as Leopold had prohibited their receiving them from any but a priest of his appointing.

A short time after the death of Clement XIV. Alamanni addressed the Court of Rome to obtain the power and means for reducing the Dominicans of Pistoia under his authority. His petition bears date December 19, 1774. The Cardinals, assembled in conclave, granted his request, and confided to him on the 10th of January following, in the name of the Holy See, a commission for governing the convents of St. Lucia and St. Catherine, and requested him to communicate such farther information as might be useful to the future Pope. He hastened to satisfy their demand, and added to the details already given a lively picture of the abuse of authority of which both the priors and confessors in the convent of Pistoia were guilty.

The nuns, says Alamanni, nearly all declare the same thing respecting the dissoluteness and libertinism of their directors, of their materialism in doctrine, and the brutality of their sentiments; and he says, in conclusion, that he had in a great degree a personal experience of the truth of these assertions, as he had been charged with their spiritual administration.

In the mean time the disorders increased at St. Lucia. The nuns uniformly united in opposing

the Bishop, in refusing the sacraments, and remaining without a superior, since, after the death of the one who had governed them according to the direction of the Dominicans, they were determined to elect no other without their co-operation. They believed, or pretended to believe, that the provisionary power given by the Cardinals to their Bishop to replace the monks, was either supposititious or insufficient. At St. Catherine the demon of discord reigned without restraint. Those who had been reclaimed were regarded as guilty of apostasy, as schismatics and excommunicated. The party opposed to them was, although less numerous, the most turbulent and determined. The threats of poisoning or strangling the complainants were nearly every day renewed, and no authority availed to subdue the pride of these miserably depraved nuns. We give as a proof of the actual condition of these persons the following extracts from the report which the three churchwardens signed and presented to Leopold, and from a letter of one of the nuns to the Rector Comparini.

"The Prior and the Confessor take the liberty of going whenever they please into the vestry to converse with their favourites, whereas, according to the tenor of the Bull, they should not even communicate with them *ad loquendum bonum:* they have parties of pleasure there, and eat with the nuns. One time, on Easter-day, the other nuns going in

a body to divert themselves there, surprised two other monks along with them, each passing his time gaily with his favourite nun.

" The said Prior and Confessor, when they come into the convent to visit the sick, do not go to them *recto tramite*, as the Bulls direct, but wherever they please, and even alone with the nuns into their cells, and they walk together in the garden.

" If they are attending on any nuns that are dying, they eat and sleep in the monastery, which is prohibited, and they eat with whom they please, even with the sextonesses."

These irregularities are imputed not only to the present Prior and Confessor, but to all those destined from time to time for these employments, who are guilty of constant ill conduct.

In a letter of Sister Flavia Peraccini to the Rector Comparini, written 12th Aug. 1775, she thus expresses herself:

" I learned yesterday morning that the *fratesses* (monkesses) had a letter last Friday from the Cardinal-protector of the order (I do not know his name) in which he desires them to beseech the Lord to give them patience; that he would do all in his power for them, but that they should not be in a hurry, for the affair would be tedious. At all events, both they and the monks keep up their hopes, and make every effort to prevent any change. No one can

have any idea of the extent of the intrigues of the monks; and the devices to which they have recourse to secure themselves, are astonishing. To venture to set themselves in opposition to the Prince!—But God be praised! he is no fool, and it is he who rules in Tuscany.

"Every time I think of the plan of the Provincial to make us all communicate, and then to make us all sign a declaration that we attended the sacraments, and that every thing was done in good order, and thus make liars of us,—I must acknowledge I am perfectly unable to restrain my astonishment."

The reader is now but too well acquainted with the Dominican nuns and the monks their seducers. It would be useless to make any observation on the interest which one of the princes of the church testified so openly for them, as well as the high protection which he promised them to aid them in resuming as soon as possible their claustral amours and returning to their libertine habits, against the will of their legitimate Prince and their Bishop; namely, of those who were charged, as they say, *by divine right*, to oblige them to live in a way the most useless or most innocuous to society.

We here also give some autograph letters of the nuns of St. Catherine of Pistoia, to prove how far the immodesty of the refractory nuns, and of the monks their paramours, went. The former openly

threatened the lives of such of the sisters as had ventured to reveal that tissue of debauchery, and to call on the Government to re-establish order and good morals.

On May 15th, 1775, Sister Marianna Santini, Prioress of St. Catherine, wrote to her diocesan Alamanni to say, that she and her sisters submitted themselves to him unconditionally, and promised every thing that he required of them, "except a change of sentiment, as we are determined to die rather than live out of our holy order. The greater part of my nuns are determined to go into some other monastery of the order, and there is no other course to adopt.—Ours is a single will, most free and resolute, which will always make us adhere immutably to what we freely chose in the act of our solemn profession."

At the foot of this piece are these words: "The original was sent back through the Chancellor to the writer, with directions that there should not be any more letters of that kind written by her or by any one else."

The complainants presented a petition to the Vicar of Bishop Alamanni, praying that he would deliver them from their turbulent companions.

"The poor nuns of St. Catherine of Pistoia salute Monsignore the Vicar, and entreat him, by the bowels of Jesus Christ, to remove five nuns and two converses (lay sisters) who oppose the resolutions formed

by his Royal Highness; otherwise there will result great mischief. They never cease to ill-treat the complainants by words, and they threaten to come to acts. We conceal ourselves through fear. Complainants know not what to do, whether they should quit the convent to save their lives. They pray you to adopt some measures before evening, or, as they have said, they will go out, &c.—I Sister Anna Teresa Merlini—I Sister Rosa Peraccini—I Sister Maria Clotilda Bambi—I Sister Maria Caterina Rossi—I Sister Candida Botti—I Sister Anna Luisa Saccardi—I Sister Gaetana Poggiali."

June 2nd, 1775, they wrote to the Bishop Alamanni himself.

"You must, most illustrious and reverend Sir, be already acquainted with the treatment that we experienced yesterday from Mother Ganucci, that is, her calling one of us a fool, because a sigh escaped her at dinner, in so loud a voice as to be heard at a great distance. She then, after dinner, called us jades and audacious wretches, and threatened to have us put to death.—La Biagiola and la Campioni are always planning to do us mischief, and to poison us. We who know the sort of persons they are, and their little fear of God, live in terror all day and night.—They laughed at the communications made by you, my Lord; and said quite loud in the garden, (pardon us, and do not impute it to want of respect) that you were a knave and a

dolt, that wanted to play the braggadocio, because you knew your power would soon be at an end, &c. —Yesterday morning they read a book at the table, in which it is said, that the Emperor Charles the Fourth exempted the monks from the power of princes, and that they are only subject to the Empire, and in spirituals immediately to the Pope."

Sister Maria Caterina Rossi, when calling for a new prioress for the convent of St. Catherine, (Aug. 2nd.) thus expressed herself on the subject of the refractory nuns:

"Suffice it to say, that even in places requiring silence, they presume to bawl out at the bottom of the doors, even during the hours of repose; and say that we put ourselves in the hands of the Devil, when we put ourselves in those of the priests; and finally, threaten to strangle us."

Sister Anna Merlini wrote to the Bishop, Aug. 14:

"The monks, as well as the nuns, have obtained what they desired; they wished for the ruin of the monastery, and they will see it. As soon as possession was taken by my Lord the Vicar, the Provincial went to Florence, and the Prior to Rome; for if they could do nothing else, they would succeed in having us displaced, and that the Confessor himself said to more than one of us.—As I have said above, they commenced a suit at Florence, and at Rome. The lay-brother belonging to the last Provincial, remained here to give all the news to the nuns, and to

extract from them every thing they knew, to communicate it to his superiors."

Finally, we read in a letter of the 23rd Oct. from Sister Rosa Peraccini to the same prelate, that the refractory nuns said to a person whom the Grand-duke had sent to them, "that they would never submit to the government of low, vile priests;" and many other similar expressions.

The Bishop Alamanni in vain addressed the Court of Rome; in vain did he call for aid, and paint in the liveliest colours his affliction at finding his power altogether insufficient for the difficulties of the times. He obtained not even an answer.

On June 13th, 1775, he wrote to the Congregation of Bishops and Regulars; on July 18th, to Cardinal Caraffa; but the same silence continued. In the mean while, the nuns laughed at the menaces, as well as the exhortations of their pastor. The conduct of the Cardinal-prefect, however, did not destroy all the hope of Alamanni. He wrote again, Sept. 5, to Cardinal Torrigiani, his old friend. He told him all the anxiety of his mind, and how much he suffered in seeing himself so deserted; but the only consolation he received from Torrigiani was an assurance, that he pitied his situation, and that he would do all in his power to bring the subject again into consideration. "It is not," says Ricci, in this place, "that Alamanni knew not in what manner, or to what extent he might use his authority; but he was not willing

to hurt the prejudices either of his flock, which was favourable to Rome, or of the nobles of Pistoia, the daughters of whom peopled the two refractory convents. Nor was he willing to embroil himself in a quarrel with the See of Rome. He communicated to the Grand-duke the motives for this restraint; and the latter, who loved him ardently, assured him that he had no personal reason to fear either the intrigues of the monks, or the snares of the Nuntio. Finding that the Cardinal Torrigiani obtained nothing from the Congregation of Bishops, Alamanni prayed him, 14th Nov. to address Pius the Sixth himself. Torrigiani did so, and the month following he returned Alamanni an account of the Pope's reply. "The Holy Father," he said, "was not willing, in any way, to approve of the innovations illegally introduced into the two convents; and especially the design of the Tuscan Government to take away the direction of the convents from all the regular orders, the abuse of which the Pope declared he believed to be dictated by calumny." The Bishop of Pistoia died in the same month.

Ippoliti, his successor, the compatriot of the refractory nuns, and the relation even of many of them, hoped to overcome them by patience and kindness; but he was no more successful than Alamanni. He succeeded also as little in obtaining any assistance from the Congregation of Bishops; till at length the disorders increased to such a height, that Leopold

himself interposed his authority. Intending to pursue more general measures, in the hope that they would be more efficacious, he addressed a circular to the Tuscan bishops, desiring them to demand of the See of Rome the removal of the convents from the direction of the monks, and their submission to the spiritual government of the ordinaries. This measure had been constantly desired from the time of Cosmo the First, and the Grand-duke conceived the project of effecting it. The circulars were sent in Dec. 1776. The bishops who received them, were not ignorant of the excesses which the Prince wished to extirpate. They knew also that the direction of the convents by the monks was in direct opposition to all the reforms which he intended to introduce for the good of religion throughout the States; and they had, consequently, no excuse for resisting his orders. But the Avocat Fei, the chargé-d'affaires for Tuscany, was not a fit negotiator in such a business. Of narrow views, blindly attached to the Court of Rome, and the devoted friend and admirer of the celebrated P. Mamachi, he permitted himself to be blinded by the pontifical government. Although, therefore, he pretended to assist the reform, he rendered his concessions of no avail, by the condition with which it was burdened, namely, that every Tuscan bishop should give an account of the convents, the spiritual direction of which was in his hands, in order that a proof might thus be afforded

of the necessity of the transfer. This was the true method to carry on the disputes without end. The Bishop Ippoliti imagined that nothing should prevent the renewal of his complaints, or his demands to have all the convents committed to his power. But he soon discovered his mistake: the Court of Rome grants every thing to submission, and by favour; nothing to justice, to right and demand. Ippoliti received in Jan. 1777, a letter from the Pope, in which he not only refused what the prelate had requested, but heaped reproaches upon him for having recalled an affair to the recollection of his Holiness, which he hoped had been forgotten since the death of Alamanni. The Bishop is, moreover, especially rebuked with having contributed to the execution of the plan of the Grand-duke to take the direction of the convents from the hands of the regulars, a plan, it is said, opposed to the canons, and hurtful to religion and the monastic orders. The only attempt at softening the refusal of this and Leopold's request, was the putting of a few neglected and altogether vicious convents into the hands of some Tuscan bishops.

Ippoliti had another ray of hope; but he had too much good sense to be a favourite with the See of Rome, and the only concessions he could obtain, was a permission to transfer the refractory nuns of St. Catherine to the convent of St. Clement of Prato, which was under the direction of the Dominicans, and where they were received in triumph.

Still greater disorders than those which had been supposed to exist at Pistoia, were soon discovered at Prato. Ricci had his attention directed towards the latter by the disgraceful disorders of two of the nuns. All the evil which existed was attributable to the Dominican monks. For many years, says the Bishop, these women lived plunged in the most infamous debauchery. The name of the one was Catherine Irene Buonamici, sprung from a noble family in Prato, and aged fifty years; the other, Clodésin de Spighi, of equally noble descent, and aged thirty-eight years. Every means had been employed by the Dominicans to prevent any of the circumstances from transpiring. When Ricci, however, received the government of the diocese, and Father Vincent Majocchi was appointed confessor to the convent of St. Catherine, the dreadful situation of its members became exposed to public notice. At the feast of Pentecost, Majocchi, more scrupulous than his predecessors, refused the two nuns we have mentioned, absolution. In an instant the affair became known abroad. The episcopal Vicar of Prato, Lorenzo Palli, was informed of it, and Ricci himself hearing it reported, sent to obtain the details from the Vicar. The latter answered, that the nuns believed neither the sacraments of the church, nor the eternity of another life; that they denied certain criminal actions to be sins, and especially those of the flesh. Not content with what he had done,

Majocchi went himself to Pistoia, to give the Bishop, and the *Penitencier* of the cathedral, who was the uncle of Spighi, an account of what had passed; but so oppressed was he with the difficulties which presented themselves to a reform, that, notwithstanding the remonstrances of Ricci, he resigned his office.

Ricci wished to do nothing in this affair without the concurrence of the Dominicans themselves; but the rudeness and obstinacy with which they replied to his overture, were almost past belief. The Bishop, however, had to congratulate himself afterwards that no compromise took place, and that he was left to pursue his reformation to the utmost. The Grand-duke, having been informed by him of what had occurred, began by giving the most severe orders that no communication should take place between the convent of St. Catherine and the Dominican monks. He also collected whatever documents might tend to prove the complicated baseness of the Dominicans, and that also of the Dominicans at Pistoia in 1774, and which might enable him to examine the affair in all its ramifications. He submitted the measures which had been taken, two years after, (1776,) to the Court of Rome, to obtain for the bishops the direction of the convents, but which measures the intrigues of the Dominicans at Rome totally destroyed. He promised himself that he should not be a second time the sport of their cunning.

The monks perceived the danger of their situation, and could discover no other method of lessening it, than that of exciting the people in their favour against the Government. For this purpose they prepared a nun of the convent of St. Vincent at Pistoia, and obliged her to feign an ecstasy before the shrine which contains the body of St. Catherine. When this was done, a report was spread that the city was menaced, by this celestial sign, with some dreadful scourge. Instantly the church of the *Recollets* was filled with women, thinking the world was at an end, and demanding confession; nor was the tumult appeased till it was said that the misfortune only threatened the children of St. Dominic.

The disorders discovered at Prato were only the sequel of those which the Government had rooted out of the convents of Pistoia. Of what these were, the following will give some idea. They are two letters of Sister Flavia Peraccini, Prioress of St. Catherine of Pistoia, to Dr. Thomas Comparini, rector of the episcopal seminary in the same city. There are autographs of them in the Ricci archives, and they are either of the year 1775, when the same nun communicated to Bishop Alamanni other details which we have already given, or of 1781, when she continued to inform Bishop Ricci of what it was requisite for him to know. This is, however, of no importance whatever; the facts are the same. The nun relates what passed before her eyes in her

own convent, what had passed there before she wrote, and what still continued to take place in other convents, particularly at Prato. The first letter is dated Jan. 22nd:

"In compliance with the request which you made me this day, I hasten to say something, but I know not how; for it would require both time and memory to recollect what has occurred during the twenty-four years that I have had to do with monks, and all that I have heard tell of them. Of those who are gone to the other world I shall say nothing; of those who are still alive, and have little decency of conduct, there are very many, among whom there is an ex-provincial named Father Doctor Ballendi; then the Fathers Donati, Pacini, Buzzaccherini, Calvi, Zoratti, Bigliacci, Guidi, Miglietti, Verde, Bianchi, Ducci, Serafini, Bolla, Nera di Lucca, Quaretti. But wherefore name any more? With the exception of three or four, all that I ever knew, alive or dead, are of the same character; they have all the same maxims and the same conduct. They are on more intimate terms with the nuns than if they were married to them.

"I repeat it, it would require time to tell half I know. It is the custom now, that, when they come to visit any sick sister, they sup with the nuns, they sing, dance, play, and sleep in the convent. It is a maxim of theirs, that God has forbidden hatred, but not love; and that the man is made for the woman, and the

woman for the man. They teach us to amuse ourselves, saying, that St. Paul has said the same, who wrought with his own hands. I say that they can deceive the innocent, and even those that are most circumspect, and that it would need a miracle to converse with them and not to fall.

"The priests are the husbands of the nuns, and the lay-brothers of the lay-sisters. In the chamber of one of those I have mentioned, a man was one day found; he fled, but very soon after they gave him to us as confessor extraordinary. How many bishops are there in the Papal States who have come to the knowledge of some disorder, have held examinations and visitations, and yet could never remedy it; because the monks tell us that those are excommunicated who reveal what passes in the order! 'Poor creatures! (said I to an English provincial, I do not recollect his name,) they think they are leaving the world to escape danger, and they only meet with greater. Our fathers and mothers have given us a good education, and here we learn the Ave Maria backwards.' He knew not what reply to make to me. God is my witness, I speak without passion. The monks have never done any thing to me personally to make me dislike them; but I will say that so iniquitous a race as the monks no where exists. Bad as the seculars are, they do not at all come up to them; and the art of the monks with the world and their superiors baffles description.

"When they notify the death of a nun, they make a panegyric on her in the circular letter, to show that they know how to direct these poor graceless creatures! God only knows if they are not utterly lost. How ill they are attended when on the bed of death! That, indeed, is carnival-time.

"When they gave us the holy-water every year, they threw every thing, even the beds, into disorder. What a racket they used to make! One time they washed Father Manni's face, and dressed him like a nun. In short, it was a perpetual scene of amusement:—comedies and conversation for ever. Every monk who passed by on his way to the chapter, they found some means of showing into the convent, and entreated a sick sister to confess herself. Everlasting scandal about husbands,—of those who had stolen the mistress of such a one; how others had avenged themselves in the chapter; and how they would not have forgiven even in death:—I could tell so much that I should quite fatigue you.

"Do not suppose that this is the case in our convent alone. It is just the same at St. Lucia, at Prato, at Pisa, at Perugia; and I have heard things related that would astonish you. Every where it is the same, every where the same disorders, every where the same abuses prevail. I say, and I repeat it, that let the superiors suspect as they may, they do not know even the smallest part of the enormous

wickedness that goes on between the monks and the nuns."

The next day Mother Peraccini, who had been interrogated respecting Father Buzzaccherini of St. Lucia, replied by the following letter. These details had been required of her because it was known that that monk had been sent as confessor to the nuns of St. Vincent of Pistoia, where it had been ascertained, the confessors were in the habit of staying every day till midnight, to the knowledge of the whole town.

"With respect to Father Buzzaccherini, I say that he acted just like the rest, sitting up late, diverting himself, and letting the usual disorders go on. There were several nuns who had love affairs. His own mistress was Odaldi, of St. Lucia, who used to send him continual treats; and he was in love with the daughter of our factor, of whom they were very jealous here. He too, like the other monks, used to send us his dirty linen. He ruined poor Cancellieri, who was sextoness, for he was always asking something from her, and almost every morning she had to dress him some nice dish.

"No other particulars respecting him have come to my knowledge; but as I have said, if he had done his duty, he would have prevented some sisters from having portraits in their chambers, and of using paint. Be assured of the truth, they are all alike."

In the same letter we read: "Some years ago the

nuns of St. Vincent, in consequence of the extraordinary passion they had for Father Lupi and Father Borghigiani of their order, were divided into two parties, one calling themselves Le Lupe, the other Le Borghigiani."

Finally, we read in a postscript, " He who made the greatest noise in St. Lucia was Donati, but I believe he is now at Rome. Father Brandi too was also in great vogue. I do not know but he is now prior at S. Gemignano.

" It is true, as you said yesterday, that the temporal is not oppressive, but the nun who is always giving to the friar, how does she observe her vow of poverty?—At St. Vincent, which passes for a sanctuary, they also have their lovers."

We have said that the direction of the female convents by the regulars exclusively, of what order soever, usually produced corruption of morals. We have already given several proofs of this, and we shall give more in the sequel. It will be sufficient to give here the letter written from Rome the 25th October, 1781, by the Advocate Zanobetti to Bishop Ricci: the autograph is in the archives of the family of the latter.

The advocate hopes, that it will end with the general adoption of withdrawing the nuns from the spiritual direction of the monks, " especially in those states, where some years ago it was necessary *to raze from the foundations* one of men belonging to

the barefooted Carmelites, the other of women of the same order, which were joined, and in which, by means of subterranean passages, they led the ordinary life of men and women." Zanobetti had been five years employed in the office of assessor of the Inquisition, and he knew, he says, much more about monks and nuns than the Bishop of Pistoia possibly could.

CHAPTER VI.

Examination of the Nuns of Prato.—Obstinacy of the Pope.—He at length yields to Leopold.—Ricci's visit to La Montagne.—Improvements in that district.—Reform of ecclesiastical studies.

It has been seen that the nuns of St. Lucia, in the city of Pistoia, had voluntarily submitted themselves to their new pastor. Weariness, *ennui*, and principally their being deprived of the support of the convent of St. Catherine, had led to this, and induced them to believe that no efforts they could make, would bring back the monks. This was not the case at Prato. The pride and madness of the Dominicans, opposed to the firmness of the Prince and the Bishop, drove things every day to greater extremity. The resorts of cunning remained, and a monk attempted to employ them, but in vain. At the moment when he was least expected, Father Calvi, a Dominican, arrived at Prato, authorized by an order from the Grand-duke to co-operate with Ricci in the examination of the existing abuses. He had been

warmly recommended to the Prince by Seratti, his secretary, who, it is supposed, hoped by this measure to moderate the zeal of Ricci. But Calvi spoiled all, by acting his part improperly; and Ricci, informed of his conduct, immediately made Leopold acquainted with his character, and had him recalled.

A Servite, named P. Baldi, had been commissioned by Ricci to examine the nuns and boarders of the convent of St. Catherine. During this affair, every one connected in any way with the Dominicans, was in the greatest agitation. "It is more easy to imagine," says M. l'Abbé X. "than to describe, the fury of the monks and their adherents at Prato. Tumults and secret machinations were continually formed, to free the accused nuns, and destroy every proof of their guilt. These turbulent monks had also a powerful assistant in the Papal Nuncio for Tuscany. He afforded them aid and protection, because he knew that their dishonour would fall in a great measure on the Court of Rome. He defended, and prohibited the ex-Jesuits, whom his court also supported, because it saw that if it would continue to be a court, it must not allow these vigorous satellites of its despotism to be crushed. It, moreover, was only waiting for a favourable moment for setting them on their legs again.

June 10th 1781, Ricci wrote to the minister Seratti:

"The Dominicans are in motion; the Nuncio does not relax in his efforts to save them. It is not at all

unlikely that he will endeavour to have the cause brought before himself, under the pretext of having received a special commission from his court, and in the hope, that the affair going on tediously, according to the usual policy of the Holy See, people will at last get tired, and matters remain in *statu quo.*"

In the same letter we read: "They say at Rome, to defend the monks, that the two nuns are mad; but up to the present hour, no one has ever taken them for such. Besides, Sister Buonamici was prioress of her society ten or twelve years ago. She and Sister Spighi were in 1775 or 1776, the one mistress, the other second mistress of the novices. Finally, they have been always admitted to partake of the sacraments, and that alone is enough to condemn the monks."

A word more about the Nuncio. As protector of the licentiousness of the monks, he thought he might at least partake of their less scandalous pleasures. By a letter of the Abbé de Bellegarde, one of the heads of the Jansenists at Utrecht, to the Bishop of Pistoia, (March 25th, 1782) we see that he complained of this unclerical conduct: "What a scandal," replied the zealous Abbé, "to see monks at Florence giving in their convents, comedies, masqued balls, &c. and to see the Nuncio of his Holiness present at them!"

But nothing could damp the courage or zeal of

Ricci. The examination was continued, and the report of it sent to Leopold, who commissioned his chargé d'affaires at the Court of Rome to bring the subject before the Pope with all diligence.

The Grand-duke testified his impatience for a reply to his demands, by sending a courier extraordinary, who was not to quit Rome without an answer. The result was expected as anxiously by many of the nuns, as by Leopold; and the examination into the abuses of the convent of St. Clement was stopped, till it should be known. In the mean time, fresh proofs were every day sent to Ricci of the licentiousness of the monks and nuns. The public places and the shops of Prato resounded with reports of their excesses, and there was not a female who had been on an errand to the convent, who had not some anecdote to tell of their conduct. The boarders bore the same testimony to the barefaced vices of the nuns; and one mentioned that she had seen a play of Goldoni's, " La Vedova Scaltra," performed much better by the nuns of St. Catherine than at the theatre. The Confessor was the most conspicuous of the spectators, and the performance, it is said, was followed by conduct not fit to be related.

Ricci had taken every precaution in his power to stop the evil of this public scandal, but in vain; and he was obliged at last to have recourse to sending the two accused nuns to Florence. This was the more necessary, as the sisters had been seized with

the spirit of proselytism, and, having lost the opportunity of spreading their opinions through the convent, they made an effort to corrupt the persons appointed to attend them in their confinement. Before their departure from his diocese, Ricci had them again examined, together with their companions, and made them sign their confessions in a formal manner before the proper legal authorities. What was most remarkable, as Ricci observes, was that Buonamici, in making her deposition, kept adding explanations of the most indelicate nature, to develope the system of impiety and mysticism which had led her into error. She and Spighi were sent to Florence by night in separate carriages, attended by a priest, a layman, and an aged female: they were put into the Hospital *des Insensés* at Florence, where their behaviour was tranquil and settled.

Ricci has given in his Memoirs a full account of the wretched mental condition of the unfortunate sisters. Buonamici was endowed with great natural ability, and had composed several pieces of poetry of considerable merit. She had read Voltaire and Rousseau, and had stored her mind with their opinions. But her understanding had been chiefly perverted by the corruption of her manners. Imbued with both the impurities and the errors of the Gnostics, she began to make converts of her companions to her own ideas, but was contented with their becoming accomplices in her licentious conduct without penetrating

farther into the mysteries of her system. Spighi, on the contrary, she believed to be more capable of comprehending her whole scheme of doctrine; but the latter was of an inferior mind to her teacher, and was not equally able, when examined, to elude the questions which were intended to lay open their conduct and opinions. Buonamici had sufficient subtlety and knowledge of the scriptures to torment her examiner, Doctor Longinelli, who afterwards acknowledged that there were many of her sophisms put so ingeniously, that at the time he was unable properly to combat them. Ricci has truly said that it is impossible to consider the frightful errors into which these deluded women had fallen, without horror. The holiest rites of religion had been subjected by them to the most disgusting obscenities; every doctrine of scripture was interpreted by them so as to authorize some shameful sensual indulgence; and they pretended that for whatever they did or believed, they had the special illumination of the Holy Spirit.

The Bishop of Pistoia remitted to Rome whatever information he obtained on this important affair. At first this attention seemed to be well received, but it soon became different. Cardinal Pallavicini, the only one who had induced the Court of Rome to act at all reasonably, was obliged, on account of his health, to retire into the country and leave the office of Secretary of State to Cardinal Rezzonico.

The first indication which the latter gave of his disposition, was in his reply to Cardinal Corsini, who had asked him to confer upon Ricci, without delay, authority over the Dominican convents in his diocese. His answer was only virulent abuse of the Bishop, and of his conduct respecting the devotion of the *Sacred Heart.*

Cardinal Rezzonico was at the head of the Jesuit faction; the Dominican party joined it, and the league was strengthened by the common dangers and interests of both. A powerful party was thus formed against Ricci; but his resolution remained unshaken. He continued to write to Rome, and to every one whom he thought able to assist him in obtaining the consent of the Pope to his reformation of the convent of St. Catherine. His letter to Cardinal Corsini, dated July 3, 1781, is as follows:

"What I have ascertained by means of the examination held by the Inquisitor-extraordinary, fills me with horror; and the two unfortunate wretches have not only confirmed what was said by the nuns and the boarders, but have even, with unspeakable impudence, said still more, confessing even a most horrible abuse of the sacrament of the Eucharist. With the exception of a Portuguese ex-Jesuit, Bottillo, who conversed with them every day for an entire summer, after they had been already infected, I have not been able to discover with certainty any others guilty of teaching them such wicked princi-

ples; and even on him nothing can be positively fixed, except indecent acts and language. Ricci adds that the two nuns only sought in their replies to exculpate the Dominicans from the charge of being their accomplices; which is also apparent from their original examinations. We have fortunately the testimony of Mother Flavia Peraccini to fill up that void in their confessions, a testimony we have already given. Taken with the information given by the sisters Buonamici and Spighi themselves, it serves to establish irrefutably the truth of what was indeed most probable, viz. that the confessors and priors whom they name, were the sole teachers of Spinozism, materialism, quietism, and licentiousness, with which these nuns were infected.

Another letter of Ricci to the same Cardinal, July 7, 1781, says:

"The conduct pursued by so many provincials, priors, and confessors in this and in other convents, would make one apprehend that the evil was in the body, and that they systematically held opinions contrary to the law of Jesus Christ.....With what confidence can bishops admit these men to the office of confessors, among whom we know that such evil prevails, although not in whom it is."

The same day, (July 7,) the Bishop of Pistoia wrote to the Pope, and sent him a detailed report of the principles which formed the doctrine maintained by the two nuns of St. Catherine of Prato.

These principles were all deduced from the answers made by the two nuns themselves in their examinations already given.

In another letter, of the 15th of July, Ricci informs the Pope that the two nuns, who had been removed to Florence, as well as those who remained at Prato, refused to accuse any monk of their order, and that they even complained bitterly of the suspicions entertained against their confessors. They maintained that they had no need either of books, or of instructions, written or verbal, to form into a system the doctrines they professed, and which, they asserted, arose spontaneously in their mind. The Bishop of Pistoia added to his letter the depositions of the nuns of St. Catherine of that city, made in 1775, when that convent was taken from under the direction of the Dominicans,—depositions of which the subjects display the same errors as were afterwards found among the nuns of Prato, and which from that time were ascribed to the instructions and insinuations of the monks. He relates this circumstance as a new proof of what it was so important to demonstrate fully, viz. that these monks were alone guilty of all the disorders in the convent of Prato, whither they had gone to take the spiritual direction of the nuns of their order, after having perverted those of Pistoia.

Ricci also wrote (July 3, 1781,) to Father Vasquez, the General of the order of the Augustinians,

to beg of him to have Buonamici's brother, who was under him, examined, and whom the depositions showed to have been in a very intimate relation with the convent of Prato.

Vasquez replied, August 18th, that this monk was very simple, devout, and even scrupulous, so much so that he thought one time he ought to denounce his sister for having spoken in his presence some suspicious words on the subject of religion.

In the above-mentioned letter to Father Vasquez, Ricci says: "I know that now the two unfortunate wretches, and especially Buonamici, have deposed, at Florence, several additional circumstances, and have mentioned the Dominicans as being their teachers and encouragers in that school of iniquity."

The suspicions of the Bishop of Pistoia were thus completely confirmed, and there remained not the least doubt of the moral and religious depravity of the entire order of St. Dominic,—a depravity which the monks had incessantly laboured to propagate by initiating in the system of the most impious materialism, the nuns who were afterwards to minister to their sensual pleasures. We shall see that this order was not the only one which had thus organized licentiousness by means of false opinions. We read in a letter from Signor Foggini to the Bishop of Pistoia, (Rome, July 12, 1781,) these words:—

"I was told yesterday that it has been said that the first seducer of this convent was a Jesuit.

It may be false, but I write it as a piece of news. I know a monastery in which a Jesuit used to make the nuns lift up their clothes, assuring them that they thereby performed an act of virtue, because they overcame a natural repugnance."

It had been falsely reported at Rome that neither the General of the Dominicans, nor the Pope, who were, it was said, the natural superiors of the nuns, had been informed of any thing with which they should have been made acquainted. This, it was said, was a sufficient proof that unlawful means had been taken to assist the usurpation of the rights and authority of the Holy See. Ricci, who saw all the importance of such an accusation, lost no time in proving that the Dominican nuns had made frequent appeals to Rome and to their superiors, without obtaining a reply. They had especially addressed Pius the Sixth, and the General Bonadois, but in vain; and the proof of this is given by the depositions of those who had sent the letters.

One of the most important circumstances in this singular affair is the manner in which the Pope and the General of the Dominicans were implicated in a matter of heresy, profanation, sacrilege, impiety, and licentiousness,—a matter of which they knew all the details, but which they seem to have regarded as calling for concealment rather than punishment. This circumstance will make every truly religious mind shudder. Besides the wrath of the head of

a monastic order of shameful celebrity, and of the head of all catholics, against those who could not extirpate errors and put an end to turpitude except by making them public, the following pieces will serve to demonstrate completely what we have only advanced—the authority of the pious Bishop of Pistoia.

Pius the Sixth, in his insolent brief to Ricci, dated May 30, asserted that he himself would not have dared to conceive suspicions against the *most holy order of the Dominicans*. Abbé Mengoni had but little trouble in turning this childish fear into ridicule. He proves that his holiness might easily have satisfied himself of the exact truth of all that the Bishop of Pistoia and Prato had written to him relative to the Dominican monks and nuns. He had only to direct his Nuncio at Florence to search the archives of Pistoia, and he would have found all that we have just given respecting the disorders in the convents of Tuscany spiritually directed by the monks of St. Dominic, disorders that had been known to prevail these hundred and forty years. Moreover, should not the Pope have recollected the reasons which induced him to take from under the government of the Dominicans five convents of Siena, Pisa, and Pistoia, a little after the denunciations of the year 1774, of which he had a perfect knowledge?

Still farther: it is clear from a letter of Monsignor Foggini to Bishop Ricci, written at Rome, July

21, 1781, that there had been seen a sort of confession made to the Pope by a nun of St. Catherine of Prato, before Ricci was informed of what was passing in that convent, and which had undoubtedly been put into the hands of the pontifical Secretary of state. Finally, a Sister Teresa di Gesù, a nun of S. Sepolcro, wrote the 17th of the same month, that she had made Sister Spighi make a similar confession to the General of the Dominicans, that she had herself addressed the general relative to that affair, and had concealed from him nothing of all that had come to her knowledge. This did not prevent Pius the Sixth from asserting in his brief what the General of the Dominicans had assured him of, viz: "That in the Secretary's office there was nothing of the disorders now discovered."

In a letter from Ricci to Seratti, secretary of the Grand-duke, written August 15th, 1781, he says, there had just been found the letters of a Capuchine nun of Borgo, or S. Sepolcro, and of a lay-sister of Sister Spighi. It is plain from them, "That the facts were known to many; that they had recourse to abjurations with the greatest facility; that Monsignor Ippoliti, who (as I have learned from another quarter) was almost immediately assured that they had laid down their errors, had found out something wrong," &c.

Other letters of the Capuchine prove that Sister Spighi endeavoured to seduce her; that she had

other companions besides Buonamici; that these were also friends of the Capuchine, and ceased to write to her when she spoke plainly to Spighi, and dropped the correspondence. These letters, moreover, prove that in the holy year information was given at Rome; and it appears that the General, who says that he finds nothing in his archives, must have known it from that time."

The Advocate Zanobetti, in a letter to the Bishop of Pistoia, written from Rome, Oct. 25, 1781, says: "Every week this haughty General (F. Quinones, of the Dominicans) is at a dinner-party of infidels and libertines." Zanobetti pities the Pope, who seemed ignorant "of what human wickedness is under the veil of hypocrisy, and with the certainty of impunity."

"It was his wish to praise the Dominicans in his famous brief of reproach to Ricci," adds the bishop's correspondent, "that made the Pope engage so warmly, and with so much discredit to himself, in a matter that makes him an object of pity."

In a letter from Paul Delmare to Ricci, (Genoa, Aug. 4, 1781,) he says, "I know that in Rome itself, whither the regular orders send their youths to study, there is a college where infidelity is systematically inculcated."

However this may be, Cardinal Corsini, M. Foggini, the Avocat Fei, and the Abbé Martini, who was at Rome to be consecrated Archbishop of Florence, and who feared the same disorders in his

diocese, determined on obtaining from his Holiness a remedy for the convents of Pistoia, and such a remedy as might be applied to any, where a similar evil should be discovered. But they were diverted by Fei, who was himself devoted to Father Mamachi and the Minervites; their conduct was, in consequence, so uncertain, that the Pope thought he should be able to take advantage of their feebleness; and he signed a brief addressed to Ricci, entirely drawn up by Zaccaria, an ancient Jesuit, and by Mamachi, the most violent of the Dominicans, devoted to the Roman court.

We have already frequently had occasion to speak of the singular propositions contained in this brief of the Pope, and particularly of the misplaced and unseasonable eulogy which the Holy Father there passes on the order of St. Dominic. This eulogy is followed by one on the Inquisition, still more absurd than the first. "These may appear paradoxes," says Abbé Mengoni, "but it is certain that the Holy Father has, when he had no need to do it, commended a tribunal that is a dishonour to our holy religion." Pius the Sixth wished to withdraw the two nuns of St. Catherine from the inexorable public justice of the Bishop, to give them to the secret procedures of the Holy Office. There a general confession, in the style of those they had already made so often, would, as we shall see a little farther on, have not only obtained them en-

tire pardon, but also have procured them the means of resuming their old course; as this tribunal is only severe towards those whose conduct and known sentiments might influence public opinion so as to diminish the authority and the revenues of the clergy. And, as Abbé Mengoni well observes, the Inquisition was under the wise Leopold only a vain name in Tuscany, "where, far from giving a sanguinary monk the power to burn people, and cruelly persecute them, this tribunal is curbed."

The other injurious passages, to say no more of the Pope's letter to Ricci, may be deduced from the respectful, but firm reply which the Bishop of Pistoia made him, on August 6, 1781.

After having complained bitterly of being treated by his Holiness as a man of bad faith, as a fanatic, a liar, a calumniator, a seditious person, a usurper of the rights of others, &c. Ricci, to pass from abuse to reason, endeavours to prove over again what he had already proved so often respecting the Dominicans, who must be regarded as at least the accomplices, if one would not farther accuse them of being the seducers of the nuns.

"It is certain, most reverend Father, that the connivance of the provincials, priors, and confessors, who have been for so many years with this society, and who were all informed of its evils, is inexcusable. If I at once became apprehensive of such evil having spread to other convents, I had very great reason

for it, since from the depositions made six years ago by the nuns of St. Catherine, and of which the originals are in the Royal Secretary's office, it appears that the same impious opinions entertained by the two unfortunate nuns, were held and taught, though not so completely reduced to system, in that convent, by some Dominican monks, who afterwards went as confessors and priors, or were some way else interested in the government of these other convents."

He then repeats what we have already seen, viz. that the confessor, on taking possession of his office, used openly to choose a *mistress among the nuns*, and that when any of them were sick, there was a fête at the convent. The confessor made the nuns attend him at table, and there he played cards and danced with them, &c. "Need we be astonished," said he, "if the disorders of so many nuns, who had been all tempted, and many seduced, should eventually have spread through the town, or if their scandalous opinions and actions should have been the subject of conversation in public circles?"

Ricci immediately carried the brief he had received to Leopold, who, enraged at its contents, determined upon replying to it himself. This, however, did not prevent the Bishop from sending a minute reply of his own, which he submitted to the examination of the Prince, of his Secretary Seratti, and the Archbishop Martini. It was advised by Seratti that Leopold should let the personal quarrel of Ricci be

forgotten; but this the Duke positively refused to do. He renewed the formal promise of his protection, and sent a very strong remonstrance to Rome, digested by his own hand. He complained in it of the Pope's conduct to the Bishop, whom he determined to protect with all his power. He added, that he would never consent that the nuns should be delivered over to the ecclesiastical authority, as the Pope had ordered; and he openly threatened to provide for the reformation of all the convents in his dominions according to his own discretion, if the Pope refused to submit them to the spiritual authority of their ordinary.

The Court of Rome immediately replied, that the Grand-duke might follow his own discretion with regard to the two nuns, and that the other convents in Tuscany should in future be under the power of the bishops only. This was not all. The Pope found himself compelled to write to Ricci in terms totally opposite to those expressed in the brief, and to grant him all he asked. This unexpected proceeding of Leopold confounded both the Holy See and its partizans in Tuscany, whose steps it was necessary incessantly to watch, in order to take away the possibility of their re-union.

Ricci mentions with satisfaction, that the Spanish minister at Rome sent the papers relative to this affair to his court, to serve as a model for the reforms of a similar kind which they proposed to undertake there. Nothing is more useful than thus

to show that useful actions are at the same time honourable, and that, in proportion as they extend their beneficial effects, they increase the reputation of their authors. The circumstance just mentioned is also of use in showing that Rome never yields but to necessity, or a determination as strong as necessity; and that feebleness and timidity find justice and right of no avail in a contest with that vain and selfish court.

The Pope, who had been completely overcome in the affair of Ricci, took his revenge on the General of the Dominicans, whom he punished by two terrible reprimands for having disguised the true state of things at Prato, and thus brought his court into such a humiliating situation. He also reproached him with having permitted certain bad theses to be discussed in the convent of St. Mark at Florence; and in fact, so terrified the poor monk, that he left the apostolic audience in such a condition of grief and fright, as to be unable to find the door of the apartment. The Grand-duke, on his part, ordered the Avocat Fei before him, and gave him a similar castigation for his want of good service.

As soon as Ricci had obtained his authority, he did every thing in his power to soften the affliction which the nuns felt from his success. He gave them permission to choose their own confessor out of a list he laid before them of seculars and regulars. They expressed the most lively desire to have, at

least, a chaplain of their own order; but Ricci resisted all their solicitations. He had been too well taught the dissolute character of these monks, to remit his severity, and Leopold had himself prohibited any indulgence of the kind requested. So determined was he, therefore, in his resistance, that he refused the permission to the convent of St. Vincent, to which the Archbishop of Florence had promised this favour in the name of Ricci, who, he falsely said, had given him his word on this subject. The affair terminated in the disgrace of the Archbishop. It is from this epoch Ricci dates the enmity of Martini, and as a consequence, that of Seratti; whom the prelate had no difficulty in irritating against the *protegé* of their common master.

The two affairs, that of the Sacred Heart, and that of the Dominicans, united both the disciples of St. Dominic and those of Loyola against Ricci. He was attacked on all sides, and it was only the esteem and particular protection of Leopold, that enabled him to resist the intrigues and mischievous intentions of his adversaries. Even this, however, was another cause of enmity against him; for it made him disliked by all the ambitious members of the Tuscan court, among whom especially may be mentioned Seratti, the friend both of Martini and the Nuncio. Ricci knew this, but uniformly appeared to treat him with the utmost confidence.

The Bishop considered it his duty to visit the

entire diocese of Pistoia-Prato, and to penetrate even into the least accessible, and consequently the most neglected villages. These were such as lie on that part of the Apennines which is called *Le Montagne di Pistoia*, or simply, *Le Montagne*,—a tract of country in former times totally wild and barren, but by the philanthropic care of Leopold, brought into a state of civilization and culture. Ricci takes advantage of this truly brilliant circumstance, to confer the highest praises on his master. He has given a charming description of Le Montagne, has shown them to be rich in productions of every kind, and in men fitted by Nature for the noblest employments.

Before the time of Leopold, it appears by the Bishop's account, that the inhabitants of this country were obliged to migrate every year in a mass to obtain in the works of the *maremmes*, (the marshy borders of the sea,) that pittance to support life, which their native soil denied them. The females and children only remained in the villages, under the protection of the curé. But his vigilance was often an insufficient guard. Education was neglected during the long absence of the heads of families, and the neglect was followed by viciousness of manners. The wives and daughters of the absent villagers, deprived of their natural protectors, fell victims to seduction, and then fled into another country to avoid the rage of their husbands and

fathers. All these disorders ceased when the inhabitants had the means afforded them of support. A new route to Modena was made over Le Montagne; and by the privileges and encouragement given to those who built houses in the neighbourhood, the people became fixed at home, and first introduced, by little and little, agriculture, then the arts, and at length the luxuries of life. Another happy result also of this was, that the Maremmans, no longer having the labour of others to depend upon, gathered new vigour and energy, and improved both in wealth and character. Ricci, during his visit, discovered that the establishment of a parish at Boscolongo was necessary to the colony, and that it would be productive of great good. He wrote to the Grand-duke on the subject, and immediately saw his wish complied with. Leopold resisted the attempt of his ministers to deter him, and spent a large sum in the building of a new church. The usefulness of the design was proved beyond all doubt by the great number of new families that soon gathered together to form a village round the church.

About this time Ricci had several disputes, both with Rome and the prelates, about the keeping of Lent. It was his constant desire to bring the church as much as possible back to its ancient discipline. His attempts in this respect appear to have been dictated by the same good sense, united with religious

zeal, which guided him in his other reforms. He in some measure succeeded, but brought on himself, as in the other affairs he took in hand, a whole host of opponents. Another circumstance also, which gave him a great deal of uneasiness, was the dangerous and fanatical conduct of the Lent preachers, whose manner of exercising their ministry had obtained them, in many places, the title of Sacred Comedians. These men carefully sought the most frequented churches, the pulpits most in repute, and used every means to get themselves chosen by the magistrates, or by those who had the appointment. It was yet worse in the country. They preached sermons there, which they had, as it were, received by inheritance, or which were drawn from the archives of their convents. From his first arrival at Pistoia, the zealous Bishop opposed these missionaries, and succeeded in deterring the most timid from continuing their mischievous practices.

During the Lent of 1782, the monk who preached at the cathedral had the boldness to abuse the proceedings of the Government in no very measured terms. Ricci admonished him to refrain from all such expressions in future. The missionary promised to obey the injunction; but he almost immediately broke his word. The Bishop believed himself called upon to put a stop to this scandal. The preacher was strongly reprimanded. He, on the other hand, threatened to leave the city, which he knew would give

rise to considerable disturbance; but at the moment measures were about to be taken against him, he was seized with a panic, submitted himself, and gave a promise of never again committing the same error. About this time, the Archbishop Martini, being opposed in all his conduct to Ricci, imposed upon the regulars in his diocese who had no cure of souls, the duty of catechising in the churches on Sundays and feast-days. This order was given, says Ricci, to astonish all those who knew the just complaints which had been made at the Council of Trent, against the teaching of monks. The Secretary for the jurisdiction of the Prince cited the example of the Florentine prelate with much approbation to the other bishops, and Ricci saw himself obliged to appeal to Leopold. Having received renewed promises of protection, he issued a decree, forbidding any regular's preaching in his diocese, before his doctrine and his principles had undergone an examination. The result was, that the monks no longer presented themselves as preachers; and the greater part of those already engaged, retired. He even did more than this; he obliged the regulars before preaching, even in their own churches, to go and receive the benediction of the curés. This raised more enemies against him than all he had before done.

In supplying the void which the want of sermons had left, he ordered the curés and their assistants to give expositions of the sacrament. Another means

employed for the instruction of the people, was the publication of a good catechism. Ricci chose from among all the Jansenist catechisms that which seemed the best adapted for his purpose: those of Colbert and of Mesenguy, otherwise so excellent, were rejected, for fear of giving unnecessary offence to the Court of Rome, from which it was necessary to keep all suspicion of false doctrine. He preferred the catechism of Gourlin, which had received the approval of the Inquisition, and had been recommended by Ippoliti, his predecessor. Ricci prepared the publication by a pastoral letter, in which he attacks the various errors which had crept into the Church by departing from the study of the Scriptures.

Rome could scarcely retain her indignation when Leopold suppressed the taxes, all of which Tuscany had hitherto scrupulously paid into her treasury. She, however, entirely lost her patience at the abolition of the tribunal of the Inquisition. This tribunal had been always held by the *Frères Mineurs Conventuels*, according to Ricci; and he cites Boccaccio to prove it. The imprudence of an Inquisitor, (a monk,) contributed to deprive it of its power under the government of the House of Lorraine. Thomas Crudeli, a man of letters, at that time a prisoner in the dungeons of the Holy Office, found means to inform his friends of his situation, and to assure them that, if he was not speedily freed, the bad treatment which he received, acting upon a delicate

and feeble frame, would inevitably prove fatal to him. The Count de Richecourt, the head of the Regency, was informed, by those who had the boldness to interest themselves in the affair, of all that had occurred. He instantly delivered Crudeli from these wretches, and demanded of the Court of Vienna the abolition of the odious Inquisition. A long negotiation was entered into with Rome. The Tuscan Government, out of respect for Pope Benedict the Fourteenth, would not interfere, and was contented with modifying the power of the Holy Office. Pius the Sixth, however, would yield nothing, and his resentment against Joseph the Second and Leopold became so violent, that he suffered the most inflammatory pamphlets to be published about them. But his anger was chiefly directed against Ricci, who, it was believed, had instigated the Duke to all these things. Even the ministers of Leopold believed it; but, as the Bishop says, the Duke was too enlightened to brook such a submission, and was not willing to share the credit of his measures with any one.

The spring of the year 1782 was so excessively rainy, that the crops were near being all destroyed, and every means which superstition could invent were employed to remove the threatened calamity. Ricci opposed these superstitious practices, and took occasion to give many salutary instructions on the subject of image-worship, many of the greatest errors of which he endeavoured to remove. A long con-

test with the monks was the consequence. At first it was only a war of words, but his adversaries had at last recourse to the lowest kind of abuse. The priests who were supposed to be attached to Ricci, were abused in the public streets, and insulted with popular songs containing every species of invective. Out of Tuscany, the whole order of the Franciscans took part in the dispute, till at last even the friends of the Bishop began to suspect that his procedure was, to a certain extent, imprudent, and calculated to favour the sect of the Phantasiasts. Ricci several times replied to these remarks; and at last reduced his adversaries to silence by an article in the Annales Ecclésiastiques, bearing the date of July 4, 1783.

About this time the Grand-duke signified his approval of Ricci's plan for the establishment of an Ecclesiastical Academy at Pistoia; and that he might have a fit situation for it, gave him the convent of the Olivétains, which he was on the point of suppressing. Armed with this decree, the Bishop, for fear of fraud, unexpectedly signified it to the monks when they were assembled for dinner in the refectory. He at the same time took possession of the convent, and of the country-houses which belonged to the monks. He put his seal upon all the papers, had an inventory made of the different effects, and of the furniture; and he managed to effect all this without causing any noise or disturbance. The

nobles of Pistoia could not repress their chagrin at this event, which deprived them of a retreat where they might place those of their children that interfered with their ambitious projects, a plan, moreover, that gave some *éclat* to their neighbourhood, and furnished them with the means of dissipating, either by gaming or conversation, their languor and sloth.

Some proofs exist of the kind of amusements followed by these devout nobles. The Abbé's *tables du quartier* were found covered with the reckonings of a game, which showed the manner of passing their evenings. At another place cards were discovered; and the library of the convent, which consisted of only about a hundred volumes, was in the most miserable state of filth and confusion. The Scriptures, divided into several little volumes, were not even complete. Such was the state of the library, that there was nothing in it of any value but some editions of the year 1400; the rest consisted of the old casuists, and other such authors, so that Leopold said he would not give five shillings for the whole. Such was the state of this establishment as respected its interior; but the building itself had been just repaired, and Ricci, overjoyed at being enabled by the acquisition of it to open his academy, solemnly dedicated it to St. Leopold. His first object after obtaining this situation, was to find a good theological professor; and not hoping to obtain one in Tuscany, he applied to the celebrated Tamberini,

head of the new theological school at Pavia, who sent him Doctor Jean-Baptiste Ganzi, of the same school, on whose principles he might rely. In all his subsequent measures he did nothing without consulting his friends,—the Jansenists of France and Holland. The success of the institution answered his labour; and when at his own fall the institution also fell, he expressed the deepest regret at the event, and at the barbarous conduct of those by whom it was occasioned.

But before this catastrophe, Ricci had to endure many persecutions and vexations. He saw himself on all sides surrounded with enemies, among whom was Leopold's minister. He was accused of having aided the Government, in a most scandalous manner, in the destruction of the Olivétains; and it was endeavoured to lessen the patrimony of the suppressed convent by so many charges, that it became of no value for the purpose for which he wanted it. The Bishop obtained from Leopold much assistance in these affairs, but his success did not answer the hopes he had a right to cherish.

Ricci was extremely desirous of establishing moral conferences in his diocese, not merely formal, as they had hitherto been, but such as were likely to produce real practical good. This was at the epoch when Leopold had reduced the regulars within the jurisdiction of their bishops. Ricci took advantage of it to make them assist the seculars in the monthly

conferences; and he succeeded beyond his expectation. The order he had received to inspect the studies of the regulars induced him to visit the convent of the *Mineurs Observantins* at Giaccherino, near Pistoia, in order to examine the library. The collection of books in this convent was valuable and well chosen; but such, says Ricci, was the sloth and bad management of the monks, that it was left in a state which rendered it perfectly useless to the pupils. The room where the books were kept was generally the least known and frequented in the house. There were even some superiors of convents who could not say where it was, and who followed Ricci to discover in what part of the convent the books were to be found. At Giaccherino, the library was in a little room devoted to the reception of all old and useless papers. The cobwebs which hung from the ceiling covered the unfortunate visitor every step he set, and which he had been prepared to expect, from the difficulty experienced by the monks in finding the key of the room. A promise, however, was given of amendment, and the Bishop went away satisfied. A similar circumstance took place at the convent of the Paolotti at Pistoia; from which the Provincial, thinking that books were a useless kind of furniture, had sent all it possessed to the convent of the same order at Florence, to obtain the thanks of the monks in the capital. It will not cause surprise, after hearing this, to find that the regulars were not

much devoted to study; so far, indeed, was this from being the case, that they gave themselves up to every kind of dissipation, and when some of them were not so disposed, they were even prohibited by the superiors from using books purchased with their own money.

Ricci examined some of the students at Giaccherino, to discover the state of religious knowledge among them, and found them in a state of deplorable ignorance. Questions the most useless were discussed in the most barbarous style of scholastic reasoning, while the great doctrines of religion were treated in a manner so ridiculous, that even Molina himself professed himself offended. The infallibility of the Pope, his absolute temporal power over princes, and all the most foolish doctrines of the Court of Rome, were stoutly defended by them, and made to support the most preposterous opinions.

The Franciscans, says Ricci again, are for the most part, in the present day, without the least learning, even without the principles of grammar. Latin is almost entirely unknown among them, and when tried, they were unable to translate the decisions of the Council of Trent, the Roman Catechism, or the historical books of the Scriptures. They were obliged to employ a dictionary to construe their commonest lessons; and the cleverest among them never thought of looking into the subjects which they were thought capable of teaching, till they were made doctors, or

professors of theology. Others less clever, were made preachers or confessors; in which capacities they only consulted some old and well-known casuist, or preached the sermons they had found in the convent. Ricci employed every means in his power to remedy these abuses, but in vain; and he saw his best and most useful projects either eluded by art, or stopped by the power of the monks, or the bad conduct of Leopold's ministers.

The Bishop had long found, that to commence an attack on the monks is to bid farewell for ever to all peace and tranquillity. The first antagonist he had to meet, in his endeavour to do away with the prerogatives of the monks in his diocese, was the monk Lampredi, to whom very imprudently had been given the power of visiting the convent of his order, in quality of Provincial. Ricci opposed himself to this, and he succeeded in preventing Lampredi from making his fortune, which a visitor on such an occasion is almost sure of doing. The same man wished, on some foolish pretence, to remove the college of Giaccherino elsewhere; but the Bishop prevented any such change taking place, saying, that such a thing could not be done without an express order from the Prince. Every victory which Ricci thus obtained, furnished him with a reason for writing to Leopold, whom he assured of the possibility of reforming the whole monkish system, which was principally to be done by taking away all the pri-

vileges of the particular monastic dignities, and by making every convent a separate isolated establishment; thus doing away with that *imperium in imperio*, to which the present system gives rise.

The Bishop was diligent, notwithstanding all opposition, in scattering abroad the most useful books. One of these was the *Opusculum* in which the Lieutenant-governor of Pistoia pretended that the opinions of Calvin and Zuinglius were supported. The question was judged by the theologians of Florence; and being decided in the negative, the Lieutenant only got a sharp rebuke from Leopold for his officious zeal. Ricci was next charged with the superintendence of three congregations of priests at Pistoia; and either to reform or suppress them, as he saw fit. He employed the gentlest means to bring these ecclesiastics to reason, but in vain; and he was then obliged to have recourse to compulsion. He also at this time reformed an abuse which had been long existing. The prebendaries of the cathedral of Pistoia enjoyed a very rich revenue without performing any service, which they got done for them by chaplains, to whom they paid a very small stipend, and who were, consequently, generally the most ignorant of the clergy.

All this took place in the year 1782. The following year, Ricci's enemies commenced their attacks with renewed violence. Placards were put upon the cathedral gate with the inscription "Orate pro

episcopo nostro heterodoxo." He was accused of heresy, and anonymous letters were sent to him full of menaces and abuse. Nor were these threats altogether without meaning; for his domestics had been bribed to admit people into his study, and he was assured that, on his going to his seat in the country, a conspiracy had been formed to take away his life, which design an assassin had offered to put in execution for five hundred crowns. So many dangers alienated from him his friends and relations. The ministers of the Grand-duke, and even his colleagues, took advantage of it to oppose his designs, and to raise against him new enemies at court. Rome also entered into the conspiracy, and condemned his Catechism; but the Bishop, taking advantage of the approbation which the Inquisition had expressed respecting that of Venice, retained his Catechism in use, without taking notice of the prohibition.

Leopold wished to render his reform general, and everywhere sent the same instructions and the same orders, but he was not always seconded and obeyed. About this time he addressed a circular to all the bishops of his states, sending them at the same time the pastoral letter of the Archbishop of Saltzburg, of the 29th June, 1782. Leopold intended, says Ricci, by means of this paper, to lead the faithful committed to his care gradually to remove from the forms of worship all the superstitious observances that the ignorance of the people, or the clergy, or

the ambitious and avaricious spirit of the latter, had mingled with them: and if he succeeded, (he continues) he hoped to overcome the indifference of reasoners, and the incredulity of the learned towards religion, the natural results of the gross debasement of the popular worship.

This was equally the object of Bishop Ricci, who, as soon as he received from the Grand-duke the pastoral letter of the German Archbishop, hastened to follow up the views of the Prince his protector. He reprinted the letter and sent a copy to each of the clergy, whom he begged to inform him of what was wanting to be done in his diocese, in order that God might there be worshipped "in spirit and in truth." The curés replied immediately; and it was on their answers that Ricci founded the reforms he introduced into his diocese, and organized those which he afterwards reduced into a system, and which he fixed definitively on occasion of his famous synod.

He limited himself, for the present, to "restricting the functions of the priests to the explanation of the Gospel during high mass, to the Catechism before and after vespers, and to benediction at the end of the ceremony. He moreover ordered that the litanies should be sung in the vulgar tongue, and that not more than fourteen candles should be lighted." The people, thus deprived of the splendours of the ceremony, murmured more loudly than ever. Besides this, the Bishop, in order to force the faithful

to frequent their parishes, ordered the private chapels to be shut on Sundays and holidays, and forbade certain splendid ceremonies to be performed which attracted the people from their labour, and from attending their parochial churches.

The Grand-duke, seeing that all went according to his wishes in the dioceses of Pistoia and Prato, loaded them with his favours. He granted to the seminary of Prato the convent of the Recollets, and gratified the new seminary of Pistoia with the suppressed convent of St. Claire. He gave the Dominican convent to the Dominican nuns, for the purpose of being employed as a school, under the protection of the Government. He went to inspect the improvements made by Ricci in his diocese, and was delighted to see that he had suppressed the number of altars, allowing only one in each church. He encouraged me (says Ricci) to make the same reforms in the other churches of my diocese. The project, however, was interrupted.

The institution for the women styled *Abbandonate* was now removed to the convent which the Dominican nuns had quitted. Ricci, hoping in time to form useful women and good mothers of families, obtained permission of the Prince to restore this institution to its original simplicity. The women were now seen publicly at church on Sundays and other holidays. Opportunities were afforded them to marry, and to vend silk handkerchiefs, for the manu-

facture of which they were famous. The noble governors of the hospital thought these reforms too radical, and addressed themselves to the Grand-duke; but the latter ratified all Ricci had done.

Unfortunately, all the measures which had been taken to produce a reform by the suppression of the curés of the old congregations, were eluded, or falsely interpreted, in Tuscany, where their execution was committed to persons who brought them into contempt. Rome forgot not to assist in this. Defamatory libels were everywhere circulated against the Grand-duke and the Emperor, and sedition was preached from a variety of pulpits. Leopold was accused of changing, like Henry the Eighth of England, the ancient faith; and the doctrine of Ricci was represented as full of heresy. None of the benefits produced by the new law were acknowledged by these blind bigots; and it was only fear which prevented their opposing its execution, when Leopold showed himself decidedly resolved to maintain it. When a nation, says Ricci, has blindly submitted for ages to the domination of priests and nobles, these latter do not neglect to profit by their respective situations. Although naturally adverse to each other, they league together to attack those who put their privileges in danger, and who endeavour to break the spell by which the people are bound. Such was precisely the situation of things at Pistoia,

where the ancient respect for the nobles had assisted in riveting the fetters of superstition. The measures which Leopold took to humble these enemies of moral and civil reform are described at full in an Appendix to Ricci's Memoirs, and will form the subject of the following chapter.

CHAPTER VII.

Measures taken by Leopold to establish his Municipal System and Reforms.

ONE of the most pernicious prejudices entertained by mankind is that which induces them to prefer a person destitute of any other recommendation than that of high birth, to a man of merit and probity, who can boast of no higher origin than Socrates or Marcus Aurelius. This prejudice, hallowed by ages of ignorance and selfishness, acted like a species of lingering and enfeebling disease, which, until the end of the last century, preyed on the very vitals of society, and kept it in a continual state of weakness and torpor. The man who could lay claim to noble blood, had it in his power to do every thing, without either talent or virtue; while the possession of every talent and of every accomplishment seemed wholly useless to him who had no such recommendations. The former, with very few exceptions, was, in a manner, *predestined* to commit acts of injustice;

the latter, on the contrary, to become his victim. The one only required the sentiment of honour in order to detest his fate, as much as the other had reason to deplore it.

Praise,—everlasting praise is due to the two brothers, Joseph the Second and Leopold, who although sovereigns, and absolute sovereigns, had the courage to attack the privileges and long-established rights of the nobility, to an extent unknown in former periods, and from which it can never recover. They prepared the way for the labours of that immortal National Assembly of France, which vindicated so nobly the imprescriptible and imperishable rights of man and of society.

Joseph the Second laid it down as a maxim, that knowledge and virtue, talents and probity, were the only qualities necessary for serving both him and the state; and under his reign merit was the only passport to office, to honour, and to dignity. Leopold divided his subjects into two classes—the honest and the dishonest, the enlightened and the ignorant. He found his greatest happiness to consist in the *honour* of governing a free people; and the Grand-duke, following the same excellent example, had no sooner come to the throne, than all his endeavours were directed to render the Tuscans worthy of the liberty which he intended to confer upon them.

The following document, which is now for the first time published, belongs more particularly to the

history of Leopold, than to that of the Ecclesiastical reforms which took place during his reign; but that history may not very soon make its appearance, and it is important to make the world acquainted with the constitution which a wise and virtuous Prince was desirous of conferring on his people, nearly half a century ago. His subjects were not sufficiently advanced in civilization to demand or even to desire such a boon; but the whole reign of Leopold was, with respect to them, a sort of elementary education, intended to prepare them for receiving it at his hands with gratitude, appreciating it with enthusiasm, and defending it with courage and firmness.

The constitution planned by Leopold is not altogether perfect. We give it, however, as a monument which will entitle its author to rank high among those princes, unfortunately but too seldom found, whose greatest ambition is the good of their fellow creatures. It is a severe but just satire on the conduct of those who prefer to that lofty character, the preservation of unjust privileges and insulting prerogatives, which are constantly gliding away from their grasp; and also on the conduct of that class, so cruelly selfish, which supports them. Leopold took as much trouble and pains to enlighten his subjects and to inspire them with just sentiments of their importance, and correct ideas of their rights, as other princes have taken to brutalize theirs by every means with which ignorance, superstition, fa-

naticism, perversion of mind, corruption of heart, and despotism combined, could supply them.

We shall now lay before the reader this document, word for word, such as it exists among those Tuscans who venerate the memory of that truly great man, whose ambition rose no higher than that of being the first magistrate of his people. It was reduced into form by Senator Francis-Maria Gianni, in 1805, at Genoa, whither he had retired after the deplorable events of 1799. Gianni served Tuscany under the reign of Leopold with fidelity, and was one of his most zealous ministers, which did not, however, prevent him from accepting, under the reign of democracy which interrupted that of Ferdinand, the office of Minister of the Finances.

"MEMOIR on the Constitution planned by the Grand-duke Leopold; intended to illustrate the history of that Prince's reign in Tuscany."*

"A constitution, in order to be properly adapted to the government of men, must not be an arbitrary act proceeding from the sole will of the reformers of the world; its provisions must be founded on the physical and natural qualities of the nation for which it is intended, and must be adapted to its character, —that is to say, to that portion of character which is common to the different classes of which it is com-

* "Memorie sulla Constituzione di Governo immaginata dal Gran-duca Leopoldo, da servire all' Istoria del suo regno in Toscana."

posed; otherwise the result will inevitably be a monstrous fallacy, abounding in ideas connected by no common principle, and, instead of being productive of the benefits intended to be conferred, become the unavoidable source of the greatest evils.

"The fundamental laws of a powerful monarchy, including within its dominions people of different dispositions and of different languages, provinces varying in climate and dissimilar in condition, must necessarily be few, and general in their principles, in order to accomplish their proper end—the good of the whole.

"The Gospel of Jesus Christ is the only constitution applicable to all men and adapted to all climates: and, if it were properly observed, would be sufficient to insure to mankind the greatest possible happiness, compatible with their nature and condition, without the interference either of kings or of legislators.

"In the course of fourteen years* (since 1791) we have seen constitutions for the government of men springing up in quick succession, one after another, and all of them republican in principle and in form. The parts of which they were composed, had in general been combined with great subtilty by those philosophers, politicians, and warriors, who planned them; but they were also not unfrequently the result of those violent passions with which both the

* This Memoir was written in 1805.

one and the other were inflamed. A mania, in fact, for inventing new constitutions (if the expression may be allowed), frequently of a very ideal and imaginary nature, seized every class of society, and gave birth to proposals for forms of government not only by those who could think, but by the still greater number, who could not think at all.

"The drift of politicians is not now, as it then was, to produce new forms of republican government, or to perfect those already published. They think they have discovered the greatest possible perfection of which a civil and political body is capable, in a monarchical form of government, tempered by a fundamental law or contract between the throne and the people, rendering the suffrages of the people necessary for the election of their representatives, and the votes of the latter for the enactment of laws—the king having pledged himself solemnly to observe the constitutional charter, and to execute with impartiality the laws which emanate from the legislative body.

"The ideas of a republic,—of an absolute or limited monarchy, are not new; but they did not become the subject of philosophical discussion among all ranks and classes of society, until the French Revolution burst forth upon the world, and revived in the hearts of men those passions which it was thought had been completely extinguished by long established habits of indifference and carelessness in regard to

the management of public affairs, but which, in fact, had only lain smouldering for a while, in order to appear with greater vigour and energy.

" Previously to this memorable epoch in the history of Europe, the study of the science of government was confined to a very few philosophers, who succeeded occasionally in procuring some share of admiration for their labours, and not unfrequently also in attracting considerable severity of criticism. The authors of the latter were, generally, the instruments of those persecutions, which, where the government has been such as to have reason to dread the light of philosophy and truth, have at all times been excited against the promulgators of new systems.

" There existed, however, at this time, a Prince, who, instead of harbouring similar fears, listened willingly to the voice of humanity, cherished what was really good and useful in modern philosophy, and even went so far as to discover the vices and the defects of the modes of government in existence, by putting himself, ideally, in the situation of those who were governed. In this way, he became acquainted with their real sentiments, and learned what other sovereigns never know, or rather what they have no desire to be informed of.

" This rare example was furnished by Leopold, Grand-duke of Tuscany, who in the year 1799, after much study, inquiry, and examination as to what was best adapted for his country, came to the noble

resolution of conferring upon it a constitutional charter, having for its principle a monarchy limited and tempered by the intervention of national representation.

"It would be tedious, at this day, to peruse the text of a constitution destitute of all those ornaments and embellishments with which more recent plans have been recommended to public attention; and I shall therefore, only give a brief account of it, for the satisfaction of those few friends of Leopold, who knew him well, and esteemed him highly, more especially on account of his legislative measures and operations. His constitution was frequently the subject of our discussions, whilst it was drawing up, and is worthy of particular notice in the history of the government of that great Prince, who is almost without an equal. Through the bad fortune of his successors, and the evil genius of Tuscany, it was neither promulgated, nor carried into effect; although it had received the finishing touch, and been fully approved at the accession of Ferdinand the Third to the throne.

"Let us recollect, in the first place, that the subjects to be dealt with were, on the one hand, a country small in extent, and valuable in itself, but incapable of holding any high rank among other European states, and, on the other, a Prince who aspired to no higher glory than that of rendering his people happy, and participating in that happiness;—and in the second, that for a long time every care had been

taken to arrange and dispose matters in such a way as to render the country and the people fit for the new form of government which had been prepared for them.

"To inspire the Tuscans with sentiments of true patriotism, and make them acquainted with the importance of co-operating in the promotion of the public welfare by means of deliberation and votes, in such a way as that the interests of the throne and of the people should only form one common interest, was no easy matter, considering that ages had been passed in habits altogether of an opposite character, and devoted to inquiries the principal tendency of which was to take away all desire of attending to public affairs.

"To attain this end, it became necessary to induce private interests to co-operate in the labours demanded by the public, and to bring the Tuscans acquainted with the mode of expressing their will by votes. With this view, communities were organized, and fixed rules for their administration laid down: the execution of which was intrusted to magistrates who were all interested in the good order and management of the communities which they represented, and were wholly independent of control in regard to objects of a local and commercial interest, as pointed out in the law of settlement. These magistracies were intended to become also a kind of *primary assemblies*, in the dischar

of functions requiring the co-operation of the National Assembly; but very few of the Tuscans, perhaps only *three*, saw that this work was only the first stone of an edifice of more vast dimensions; and even they saw not the extent of the superstructure of which it formed the base.

"The nation, generally speaking, was far from being sufficiently enlightened for taking any effective part in matters which required a knowledge of the public and general affairs of the state, because every habit arising from education, and every traditional principle which they had imbibed, tended to keep them at a distance from all knowledge of the affairs of their country, and to prevent them from directing their attention to the progress and tendency of the measures of its Government.

" Such was the plan acted upon by the ministry, which was desirous of extending the despotic authority of the sovereign, in order to place it in the hands of its own tools, who, by means of the general ignorance which everywhere abounded, and the mysterious secrecy with which they carried on their operations, continued to exercise it with vigour over both the Prince and the people. For this inveterate demoralization and inactivity on the part of the Tuscans, no remedy could have been devised, if the Grand-duke had not gradually prepared them by means of elementary instruction, and if he had not himself established certain fundamental and general

principles of utility and justice. These gave birth, in a practical manner, to opinions and maxims, not only harmonizing, but extremely fit to serve them as guides for the discharge of their public duty, when the proper season should arrive for emancipating them from the degraded state in which they had so long been held.

" In this point of view, the first step taken in Tuscany toward the establishment of civil liberty, was particularly remarkable, as emancipating from all shackles every species of lawful industry; and as declaring, in future, the power to dispose, without reserve, of all private property. To say more on the subject would be useless. This first reform of Leopold rendered his name immortal in the history of the age—became the origin and the foundation of the prosperity of his states, and disposed his subjects to esteem so beneficent a government, and to love a country which had been rendered so happy.

" Equality in the eye of the law was perpetually established by means of those reforms which deprived the courts of their privileges, and suppressed those exemptions and prerogatives which had been so numerous as to excite doubts whether justice was the same for all, or different for different individuals and ranks of the community.

" Of feudal jurisdiction, the name and the arms alone remained, while private jurisdictions and seignorial rights, originally purchased by those in whose

possession they were, also disappeared. The personal titles were alone left untouched, to satisfy the vanity of those who were delighted with their sound, and who, on that account, paid willingly as in former times, the small tribute annually levied from the time of investiture, as a sign of homage. It may therefore be said with perfect truth, that no citizen of Tuscany any longer groaned under the feudal yoke.

" A general law had already abolished throughout the whole of the Grand-duchy fidei-commissions and substitutions by will; preserving, however, all their rights to those who had been already nominated, or who were living on the day of the publication of the law, as well as to the offspring of marriages already contracted: so that before their abolition was thought of elsewhere, it had been accomplished in Tuscany, (where the privilege had belonged to the nobility,) and the foundations of substantial justice established.

" Under the government of Ferdinand the Third, this law of Leopold was violated, and its provisions revoked in favour of those who had claims upon the state; the minister at that period being so totally ignorant and incapable as not to be able to discover any other means of extorting money to replenish a treasury which had been reduced to the lowest ebb.

" The practice of granting certain offices in the magistracy, on the principle of hereditary right, to

citizens of Florence, was abolished by different reforms. With this view the magistracies were, in the first place, rendered elective, (the Grand-duke having the right of nomination,) and afterwards conferred by a special jury, when the candidate had furnished sufficient proofs of his capability to fill the office, by exhibiting his degrees of doctor, notary, practice in the courts, and respectability of character.

"All corporations of trades, so contrary to the liberty which every individual ought to enjoy, with all their tribunals, statutes, and restrictions, were also abolished, and industry left to exercise itself with that perfect freedom which is most conducive to its extension and prosperity.

"The law in regard to mort-main was not the work of Leopold, but he had the merit of putting an end to those interminable disputes and doubts which the art of chicanery had originated as to its application, and by which it had been rendered almost void. Leopold made all new acquisitions of property, and all alienations of property already acquired dependent on his consent and permission, provided either the buyer or the seller were holders in mort-main.

"To Leopold also we are indebted for rendering the property of the clergy liable to the same taxes as that of the laity: before his time they were almost exempted, or at least enjoyed many privileges.

"It was also determined to suppress the order of St. Stephen, and to apply its immense patrimony to

the payment of the officers of the troop, reserving, however, the cross of honour as a reward for officers and soldiers who had served for a long period. The plan of such reform was drawn up, and there resulted from it a considerable saving to the treasury.

" In order to dispose the minds of the nobility to a suppression so directly contrary to their prejudices, their interests, their likings, and their vanity, Leopold began by admitting several persons into the order, without any strict examination of their titles of nobility, and by giving commanderies, in place of pensions and other pecuniary gratifications, to those who had served the state for a long period; but, unfortunately, there was not sufficient time to execute the whole of this plan.

" The barbarous law which permits personal actions and imprisonment in the case of civil debtors had been annulled; but with certain limitations in regard to the merchants of Leghorn, who had raised a great clamour on the subject, lest they also should be deprived of that inhuman privilege. In this opposition they were powerfully aided by the ministry, always secretly opposed to the most glorious and useful of the projected reforms of Leopold, who wished to render the throne and the nation independent of ministerial influence; but, by one of those infatuations by which the best princes are sometimes blinded, Leopold himself occasionally yielded to this despotism.

"It would not be very easy to divine, in these days, under what pretence of public good the re-establishment of the law for the imprisonment of debtors, in the time of Ferdinand the Third, was accomplished; and I shall therefore say nothing on the subject.

"The organization of the provincial tribunals, and also their relations with the Supreme Courts, were arranged in such a manner as to adapt themselves with ease to the new order of things, without any occasion for additional charges and innovations.

"All prohibitory laws, as well as those which granted privileges to certain classes and individuals for collecting the revenues of the state, were wholly abrogated, as oppressive, hurtful to the treasury, and incompatible with the free exercise of industry.

"In order to procure full scope for the exercise of his genius, and to remove those obstacles which are a check to the designs even of absolute princes, the Grand-duke suppressed the farmers of the revenue, who had associated themselves into a body, and held the revenues of the state almost in the same manner as land on lease. Leopold was the first sovereign in Europe who freed his kingdom from that radical evil, and delivered his people from a scourge of which all other nations, and particularly the French, so bitterly complained.

"Those farmers of the revenue who were interested in this measure, were not subjected to any loss; their contract with government being liable to be

rescinded, on condition of a certain sum as an indemnity, which was duly paid to them.

" A civic band had been already organized, but not established throughout the whole of Tuscany, owing to the opposition which was raised against it, and which at length succeeded in preventing its establishment. Some officers of regiments of the line having been incorporated with it, after the reduction of the regular army, had complained that they were unable to cause themselves to be obeyed by their new soldiers, on the occurrence of some popular disturbance at Prato, which was said to have arisen from discontent, on the part of the people, with the reforms which had taken place in the offices and doctrines of the Church. These reforms had rendered the Bishop odious; and served as a pretext to the Court of Rome and the ministry of Florence, to spread abroad the most calumnious reports in regard to the orthodoxy of Leopold, and to expose him to the hatred of his subjects—a hatred much better deserved in this instance, by those who had served him so ill, and who communicated to him those perfidious counsels, which caused the ruin of his plans.

"The public debt had been freed from those shackles which rendered it dependent on the management of Government, and had been divided into so many private debts and credits between the true debtors and creditors of the State, proportional to their taxes on immovable property. The result of this measure

was the abolition of a management, which collected contributions from all the citizens, paid the interest to the creditors of the treasury, and kept an account of the diminution of their claims. The whole of these operations were conducted at the expense of the State, or, which is precisely the same thing, at the expense of the debtors and creditors—an expense enormous in amount, as is the case in all Government operations, which, while they form a kind of patrimony to those who are employed to execute them, supply the minister with additional places, and consequently with additional minions.

" Another consequence of this operation was, that debtors were enabled by it to pay off their private debt, whenever they were inclined; whilst under the former system, no one could free himself from the tax on land by paying a corresponding capital to the State, or, what amounts to the same thing, by annulling their claims on the treasury.

" Among the principal motives which he had for passing this law, preparatory to granting the constitution, we ought to place in the first rank the knowledge which Leopold had for a long period possessed, of the abuses to which a prince might convert the public debt; and of the evil designs which ignorant or ill-intentioned ministers sometimes execute, in regard to the management of the debt itself. Such jobbing cannot take place without loss to the public, which, in general, is but little ac-

quainted with such matters, and discredit to the reputation of the prince who permits it, without perceiving its importance and its consequences.

"This preliminary step was necessary, in order to insert in the constitution an article prohibiting in future the creation of any public debt. It would have been imprudent to have trusted such a matter to the national assemblies, who, in the commencement of their operations, would probably neither have possessed the information, nor the energy of character necessary for unveiling that source of mischief, and applying to it the proper remedy. The contrary, in fact, was to be expected, inasmuch as a vulgar prejudice had led many to view the public debt with rather a favourable eye, as if it had been established for the benefit of those who chose to deposit their money in safe hands.

"This measure for the extinction of the debt was also rendered void on the accession of Ferdinand the Third, when the mischief arising from the ancient system of managing the debt became apparent to every one. The Florentines, who complained so bitterly of its liquidation, would now perhaps be well pleased to see it carried into effect.

"The reform of the criminal law, especially in what concerned the form of procedure, which was infected with all the vices arising from its antiquity, and all the abuses introduced by chicanery and despotism, was also exposed to innumerable obstacles, and could

not safely have been intrusted to the national assemblies. The people would have suffered for a long time from these disorders, before its representatives had been able to apply a proper remedy to them, and resolve on such a reform as could be readily carried into effect.

" Moved by these powerful considerations, Leopold drew up a code of criminal law, which, however, he did not publish till after a laborious endeavour to reconcile the results of the various discussions which had taken place on the subject, and after having maturely weighed and examined a variety of opinions, almost all of them differing from one another. His wishes in regard to it were not completely gratified; but he entertained strong hopes of beholding them one day accomplished by means of the national assemblies.

" The criminal code of Leopold was greatly applauded, notwithstanding that it contained many defects, which were afterwards rendered still more considerable by chicanery on the one hand, and by the avarice of those employed in the courts on the other, who did their best to introduce them, under pretence of their being substantial improvements. In this manner, this disfigured and mutilated code, instead of having received any perfection before being adopted as the law of the state in the first representative assembly, had already been rendered so intricate and inapplicable, from an admixture of ancient forms and

practices, as to require from Leopold a volume of notes and explanations.

"This is the proper place to mention that, in the reign of Ferdinand the Third, the criminal code was subjected to so many changes and alterations, as to become the play-thing and servile instrument of the will of the courts and those who compose them. The administration of justice in Tuscany is consequently only pure and upright when it happens to be intrusted to judges and advocates whose conduct is regulated by a sense of honour and justice.

"Let us return to the detail of those measures which were taken with a view of afterwards aiding in the establishment of the constitution. The Government had been particularly careful to maintain embankments and other defences against the flooding of the rivers, and had even appointed officers for the express purpose of looking after them, although these works, from their very nature, were such as more particularly related to the individuals interested in preserving their lands from the evils of inundation.

"The most striking feature in the national character of the Tuscans, (and it is still more remarkable in that of the Florentines,) selfishness, has always rendered it a matter of extreme difficulty to procure agreement among those proprietors whose lands bordered on the rivers, and perfectly impossible to inspire that union and mutual confidence which

were necessary for the formation of an association which should consider the interests of the individuals concerned, as the interest of the community at large. Of this original inclination to discord and disunion, ample proofs are supplied by the whole history of the Republic of Florence, and by the chronicles of the burghs and cities, of which the Grand-duchy is now composed.

"The works, in consequence, which were necessary as a defence against inundation, could never have been undertaken with success, if Government had not exerted its authority to compel all those who were interested in them, to contribute to their maintenance. In the beginning, owing to the comparatively trifling nature of the ends aimed at, the management of the whole was intrusted to different magistracies, who collected and applied the funds to their proper objects, without their passing through the public treasury, or being in any way under the control of Government.

"In all their dissensions, the people of Tuscany have always shown a disposition to appeal to a third party, as arbiter, and readily conceded to it full power to compel them to a certain line of conduct, even in cases where it would have failed in persuading them to adopt it. In this instance, when the increasing wants and the high importance of the new works, along with the abuses committed by the magistrates intrusted with their management, had

opened the eyes of the proprietors on the banks of the river to the evils of the system,—when they came to discover the enormous debts which had been contracted, and found themselves obliged to submit to the raising of considerable sums and contributions, without deriving any benefit, or being in any respect better defended against the inundations: —those Tuscans, who were most interested in the proper management of these things, came to a unanimous resolution to lay their grievances and complaints at the foot of the throne. Their example was followed by others; and, from every quarter, petitions and supplications for relief, or some reform of the abuses which prevailed, were addressed to the Prince as the head of the Government.

"About this time, that is to say, a little before the accession of Leopold, the ministry displayed a most audacious spirit of encroachment; and the magistracies intrusted with the management of the affairs of the Societies of river proprietors, who had united for mutual defence against the overflowing of the rivers, in places particularly exposed to their course, or which were preserved from their inundations by means of artificial canals, were rendered strictly dependent on Government, and included in the Financial department.

"The Tuscans were well pleased to find a protector who had put himself at the head of the different authorities, which had hitherto been intrusted,

to the great injury and dissatisfaction of the public, with the management of their interests; and indulged a hope that they would be much better served under the new order of things.

"Flattering but deceitful promises, the murderous instruments of a ministerial despotism, sometimes succeed in imposing upon a whole people, even so far as to subject it to the most detestable tyranny. In this way the proprietors on the borders of the rivers did not, for some years, appear to feel the weight of those taxes for the repair of embankments and other works connected with the prevention of inundations, of which they had delegated the imposition, although those taxes had previously been the subject of universal discontent and grievance. Under the authority of the Government, the debts of the different bodies who had associated for mutual defence against inundation were increased, and in a short time these bodies found themselves bound for the payment of very considerable sums, without their consenting or being privy to it in any way.

"This financial intrigue had become a source of underhand gain among the subalterns of the different administrations, and a just ground of discontent on the part of the proprietors, as soon as they discovered that the mass of debt which had been contracted, required from them an annual payment of interest to the creditors for the sums which they had advanced. It became necessary, in consequence of

this debt, to levy a considerable sum, from those who were interested in the matter, in the shape of tax; which excited such an universal outcry, that the works necessary for defence against the waters, were denominated '*The impositions of the rivers.*'* At length the system was carried to such a pitch that almost every river and ditch had a board of management appointed for it, and became a pretext not only for annual contributions, but for the invention of various projects for submitting the whole to that control and protection which those interested in the matter had formerly implored, with the view of putting an end to their differences and disagreements.

"Such was the state of matters at the accession of Leopold to the throne of the Grand-duchy. Before he had had sufficient time to acquire the knowledge and experience necessary for governing with wisdom, he was induced to establish a board, composed of a great number of officers, to which every thing relating to townships, to the civil interest, (the affairs of which were exceedingly embarrassing from their numerous details,) to roads, and to the taxes for ditches and rivers, was committed.

"This establishment was soon converted into a species of petty kingdom for the benefit of his mi-

* "Imposizioni dei fiumi."—The Italian scholar will perceive the double signification of the term.

nions, by the artful and not unintelligent Minister of Finance, and became, in consequence, a mere mass of confusion. Not to speak of the oppression endured by the townships, nor of the bad management of every thing connected with the roads (the only subject to which I wish for the present to direct attention, being the roads and rivers), an enormous burthen of taxation was imposed upon those who happened to be interested in the matter, in consequence, and under pretence of the works required for the rivers.

" The knowledge and experience, however, which the Grand-duke speedily acquired, soon led him to perceive the error which he had committed, in permitting the establishment of such a commission; and notwithstanding that it had been appointed by himself, and bore his name, to determine to reform it in the most complete and efficacious manner.

" With this view, after many long and important discussions, he determined to intrust anew each body of proprietors interested in the matter, with the management of the works connected with its own rivers and ditches, as well as with their respective debts and credits. He never succeeded, however, in procuring from the former commission and its agents an exact account of its management.

" This measure was extremely well received by the public, and for some time the parties interested were both zealous and active in managing their business.

The negligence and disunion, however, so natural and inveterate in the Tuscans, at length displayed themselves anew, and proved to the world that that people still partook only in a very trifling degree of the social spirit, and that it would be a matter of the utmost difficulty to inspire them with a desire to engage in matters, in which a number of individuals associated together for one common purpose, were equally interested. In fact, Ferdinand the Third had scarcely exhibited symptoms of yielding to ministerial dominion, before petitions from the proprietors of the Pisan territory, were sent in on all hands in regard to the taxes for ditches and rivers. These proprietors implored the Grand-duke to place them under the control of that same office, against which, a short time before, they had addressed such loud and vehement complaints.

" This historical digression is not altogether foreign to the subject in hand. Too many examples cannot be given, to show that the great difficulty to be overcome in endeavouring to establish a constitutional government in Tuscany, lies in the national character and national habits—habits which have become inveterate, and even assumed the form of maxims and general principles.

" There was another step of considerable importance, which it was necessary to adopt, previous to promulgating the constitution to a people brought up in such opposite habits and forms—namely, a

legislative measure for the proper management and administration of the custom-houses.

"That branch of the revenues of the state ought to be treated with the most extensive commercial knowledge, with the greatest attention to the continual change of the internal circumstances, as well as of the external relations of the country. But it can scarcely be expected that such a mass of information, along with such a strict attention to minute details, should be found even in the most intelligent Minister of Finance, considering that he is obliged to interest himself in so many other matters. This consideration alone ought to be a sufficient proof, even to those whose minds are most prejudiced against it, that the Government stands in need of, and would derive much benefit from the co-operation and collective wisdom of its subjects, who, by means of popular assemblies, could easily collect a knowledge of the wants and wishes of the nation,—wants frequently manifested in the petitions of the individuals and classes who suffer from them. For these reasons, Leopold was anxious to initiate his subjects into this important part of the general interests, and to lay before them a model to work from. A new tariff of duties, along with a new system of management for the custom-houses, was drawn up by his orders.

"The principal object in view was, in substance, to render every thing relating to the customs so clear, and so easily intelligible, as to do away with the

necessity which had hitherto existed, of rendering them almost a matter of science to the officers employed in their management, and of public instruction to travellers, merchants, and carriers, &c.—and consequently, to check all punishment for involuntary transgressions of the tariff, and to put an end to those artifices and tricks, by which the clerks and subaltern agents endeavoured to ensnare the imprudent and fraudulent.

"This end was accomplished by drawing up a tariff, or book of rates, not a voluminous dictionary as formerly, but containing a few pages only, in which the different species of merchandize liable to pay duty, along with the exact amount of duty to be levied, were clearly indicated. The kinds of merchandize were few in number, and the names given to them, those most commonly in use.

"The tare and tret to be deducted on account of the boxes, &c. containing the goods, being always liable to dispute, a great impediment to expedition, and frequently unjust and imperfect in application, were abolished. The duty was henceforth to be levied on the gross; the abolition of the tare was, however, considered in the rate of taxation. The constant attempts which had been hitherto made, both by the treasury and the public, to surprise and impose upon one another, were in a manner rendered impossible for the future, by imposing on the officers of the customs the duty, which had hitherto rested

with the traveller, of declaring the quality and quantity of the goods. All that travellers had now to do in the matter was, to present their goods to the proper department of the customs—the clerks and persons appointed for weighing them, declaring their quantity and quality.

"The export duties were abolished, by which means the Grand-duke was enabled to diminish, by a full half, the trouble formerly rendered necessary by the declarations and verifications which were required. Conveyances and transports were also freed from all delay and expense.

"The privilege of levying petty duties, as they were called, granted on goods in their transmission from one place to another, was also annulled; and the necessity which had hitherto existed, for maintaining offices of customs for the deposit of samples and invoices, was, in consequence, done away with. These offices were established in the towns in which there were corporations of foreign porters, for loading, unloading, and taking care of the goods, who had a tariff of rates for their services; and where there was also a great number of agents for corresponding with foreign merchants, and for guaranteeing the execution of all the conditions imposed on those who wished to take advantage of the privilege of transit. But according to the system now proposed, when the import duty into Tuscany had been once paid, all demands were satisfied; and it was clearly

proved, that taking into the account the expenses of porterage, the emoluments of the officers stationed at the custom-houses, and at the entrance of the towns, the delays of transmission, and the rate of commission paid to the agents for expediting the business, goods on transit had not in any respect been placed in a worse situation by the new tariff, or at least had been so only in a very trifling degree, in comparison of what they paid under the system which had been abolished. This became, however, a strong ground of offence, and of determined opposition to the regulations introduced by Leopold; an opposition raised by the officers of Government, from the Minister himself, to the lowest salaried porter on the establishment.

"It had been proved at great length, and incontestably demonstrated, by a calculation of probabilities, that the treasury gained, by this manner of collecting the duties, instead of losing, as the opponents of the measure predicted and threatened. The diminution of places and employments, however, for which there was no longer any necessity, along with the abolition of the custom-houses in the towns, in which there were so many persons of idle habits, and totally incapable of any other occupation, and in which so many secret speculations of profit, protection, favour and revenge were carried on, was exceedingly displeasing to the multitude, which had been accustomed to look upon these places and employments as

shops,* and the treasury of the state as a good freehold—a sentiment which is openly expressed in the Florentine proverb: 'He is a great fool [who does not look after the rents.' †

"The plan was, however, drawn up, because Leopold had desired it, notwithstanding the opposition and secret dissatisfaction to which it gave rise, and which was duly communicated to him. The law, in regard to the tariff and method of management, was also drawn up and approved; but some preparatory measures, which it had been impossible to make public at the time of promulgating the general law relating to the customs, were afterwards delayed, neglected, or so ill executed, that the Grand-duke died before the system was carried into full effect.

"This reform, which embraced so many objects at once, which shocked so many prejudices, which dried up so many lucrative sources of abuse, and deprived the Minister of Finance of so many opportunities of patronage, could not possibly have taken place, if it had been intrusted to the national assemblies, before a considerable lapse of time. For this reason Leopold was desirous of consigning it in a state of operation, although far from perfect, to the attacks of petitioners, and to the examination and suffrages of the people, who, if it were found beneficial in prin-

* "Comme boteghe."

† "Come una vacca," &c. "Minchione chi non sa trovare il mezzo di mugnerla."

ciple, might perfect what was found to be improper or inconvenient in the details.

" Scarcely, however, had the reign of Ferdinand commenced, before every effort was directed towards the destruction of the preliminary measures adopted by Leopold in regard to the rates of duty and regulations for the organization of the customs. A new tariff, as monstrous as the former, and a system of management agreeable to ancient prejudices and errors, and highly favourable to the exercise of arbitrary authority by the administrators and officers, was the result of these proceedings. The young and inexperienced Prince was made to believe that these measures were necessary to complete the edifice of which his august father had laid the foundation.

" Another preparatory measure of the utmost importance was that of separating from the revenues of the state, the property which had descended from the family of the Medici, when it governed Tuscany, and the revenue arising from confiscations and acquisitions. From these sources a distinct patrimony, entitled the property of the crown, was to be formed, and intrusted to a board of management, immediately and in every respect dependent upon the Prince. This board was to take charge of the interests of the crown, and to be totally without the pale of ministerial influence; the property, which was the object of its care, being treated in the same manner as the

property of any private individual, both judicially and extra-judicially,* and subject to the same taxes and the same laws which were in force in Tuscany.

"The proposal of such a measure furnished the ministry, and especially the Minister of Finance, with a fresh opportunity of signalizing a determined but crafty opposition. Leopold, however, was too well aware of the importance of the measure, and saw too clearly the impossibility of effecting a separation between the patrimony of the crown and the revenue of the state, by means of a national assembly, which all the efforts of the ministry would be employed to influence, to delay its execution. He therefore determined to carry it into effect with his own hand, in order that it might be inserted as one of the articles of the constitution.

"Every one is aware that in Tuscany the practice of public speaking was almost unknown in courts of justice, and still more uncommon in assemblies of the people, notwithstanding the richness of the language being highly favourable to the display of eloquence, and a facility of writing in prose, and of composing improvisatory verses, being very commonly found among the inhabitants.

"It became necessary, therefore, to adopt some measure for putting an end to the silent habits of the people, and for inspiring those who were afterwards to be the organs of the national will, with that

* "Tanto in giudizio che fuori."

degree of boldness and confidence which public speaking requires. With this view Leopold ordered all causes of a civil nature to be pleaded and tried publicly in the courts of justice.

"This was the only step which it was in the power of the Grand-duke to adopt for the purpose of teaching his subjects to reason and to express their sentiments in public, and for training, encouraging, and preparing them for the discussion of state affairs. Ignorance, however, requires secrecy and darkness; it dreads lest the voice of the public should turn it into ridicule, and criticise or condemn its proceedings. Hence, in no very long period, those connected with the administration of the law found means, by secret intrigues, and under various pretexts, to render this useful regulation null and void, so that, though it was not repealed, it became totally obsolete.

"As yet, we have only mentioned the most remarkable measures, of a general nature, adopted by Leopold, for organizing the government in a manner suitable to the constitution which he intended to grant to his subjects. All these were directed to the promotion of one great end — to dispose and prepare the nation for receiving a fundamental law or constitution thoroughly freed from the principal defects of the ancient system, as well as from the vices of an administration which had never listened to the voice of the people, nor modified its decrees according to their wishes, and which had never given any

account of its operations, except in private to the Prince.

" It could scarcely be expected that the national assemblies should, immediately after their creation, direct their attention to so many reforms, or that they should originate at once so many new institutions, which, in order to be durable, ought to harmonize with the spirit of the representative government. It is now perfectly ascertained that popular assemblies, however useful and necessary for supplying information and sound notions in regard to the public service, are very far from possessing that degree of activity which is necessary, in matters involving numerous details, for carrying their projects into effect.

" A people which has only been recently delivered from the yoke of despotism, always retains the fatal habit, handed down to it by its ancestors, of distrusting, fearing, and hating the Government, even while they obey it, and of descending to the lowest and most humiliating acts of baseness and degradation, in order to avoid exciting the displeasure of its agents and ministers. Such, in fact, were the people with whom Leopold had to deal; and it was evidently quite impossible to change at once their character, their manners, and their conduct. It was absolutely necessary, however, that the Tuscans should attain to the honourable rank of citizens yielding obedience to laws consecrated by their own suffrages, and that

each individual in the community should become a zealous patriot, ambitious of co-operating in the welfare of a state united by love and by interest with a paternal monarch.

"These were neither the sort of ideas into which the Tuscans could most readily enter, nor the kind of sentiments which could be expected to grow up and free them from the hideous mask which they had so long worn at the very moment of receiving a new and unexpectedly happy constitution.

"Scarcely indeed could any reasonable and reflecting person expect to witness the most languid expression of surprise and delight, even in that small remainder of citizens whose minds were not altogether depraved, and in whose hearts the love of their country, respect for the throne, and regard for a Prince who had identified himself with the nation, were not altogether extinguished. This small number of truly honourable individuals had withdrawn into that humble and voluntary obscurity, and maintained that prudent and salutary silence, so necessary in all ages to those philosophers and sages who love security and tranquillity; for despotism dislikes to have its measures canvassed, and is perfectly aware that it is hated, although it will not listen to the voice of reprobation and disgust which they excite.

"The sketch now given will enable the reader to form some slight idea of that state of things which ought to have existed at the period of promulgating

the constitution; but much was still wanting to perfect the measures which had been already adopted, and still more for the completion of those which ought to have proceeded from the constitutional system.

*"I shall now proceed to detail as briefly as possible the principal articles of the constitution, in order that some judgment may be formed of the degree of harmony which was likely to exist between the sovereign and the representatives of the people, enlightened and informed as each would necessarily be by the petitions and wishes of the people.

"Every legislative enactment was to proceed from the united suffrages of the sovereign and of the people.

"The execution of the law was to be intrusted to the Grand-duke, who, for this purpose, was invested with the control and command of the forces, according to the terms prescribed in the constitution, as hereafter mentioned.

"The nation was to be represented by communal, (*communitative,*) provincial, and general assemblies.

"The right of petition was vested in every individual of the male sex upwards of twenty-five years of age; and could be exercised at will before the communal assemblies under which he resided, but only in relation to matters of a local

* Only found in the Italian.

nature, and comprehended in the authority delegated to the magistrates of these districts (*communes.*) The form of the petition was also prescribed.

" The provincial circle, in which the provincial assemblies were to be held, was composed of the union of several districts (*communes.*)

" The provincial assemblies were composed of deputies from the different communes. The right of petition to these was free, in the same manner as already mentioned, but only for those matters in which the whole province was interested.

" The great difference in the extent of the different provinces need not excite surprise; the aim of Leopold in marking out their boundaries being to assign to them such natural limits in respect of locality and situation, as would tend to excite a spirit of union and harmony in each, and render the suffrage of the whole perfectly agreeable to all the parties interested in it.

" As in the communal assemblies, it was necessary to receive the petitions of the commune, and of the individuals composing it; so also was it necessary to discuss them, and to decide by a plurality of votes those which were worthy of being taken into consideration, in order that they might be intrusted to the deputies who were commissioned to present them to the provincial assemblies for the purpose of being discussed and determined anew.

" In the provincial assemblies, deputies were ap-

pointed to take part in the deliberations of the general assembly. To them were intrusted the petitions which had been received and passed as expressing the will of the whole province; and in this manner the petitions from the districts and from the provinces were decided upon at once.

" The provincial deputies formed the general assembly, which was to meet annually at a fixed time, without any preliminary notice or invitation. Its sitting was to be held first at Pisa, then at Siena, next at Pistoia, and lastly at Florence, so that each of these towns might have it held within its walls once in every four years. In regard to Leghorn, a particular regulation was made, which will be given in the end.

" From what has now been said, it will be clearly seen that the principal object of the new constitution was to make the wishes and events of the nation known to the head of the Government; as well those of the small districts as those of the great provinces; and to procure such an examination, discussion, and sifting of them, as to prevent the possibility of their being equivocal in their nature, too hastily agreed to, or in opposition to the general wishes of the nation.

" It will also be easily perceived that the necessity of discussing these matters in different assemblies obliged the representatives of the people to make themselves acquainted both with local and with

national interests, as well as with the system of legislation by which they were governed, and the measures adopted in different circumstances by the administration:—things to which no one had hitherto paid the smallest attention, because a knowledge of them could have served no useful purpose, and because any attempt to penetrate into the secrets of Government—that mysterious domain reserved for the Ministry alone—would have been sufficient to have stamped the person guilty of it with the seal of sedition and disaffection.

"The sovereign, whose only aim is to promote the interest of the public, sees no want so pressing, no object so important, as that of knowing exactly the grievances of his subjects, and the most proper method of redressing them. It was in this way that Leopold succeeded in attaining that great object of every good government, and of every good prince, who is desirous of promoting the welfare of his country, and knows that its prosperity is the strongest bulwark of his throne.

"He also succeeded in some measure, in accomplishing what he had no less at heart; namely, in rendering his subjects practically conversant with the affairs of government, and inspiring them with a zeal for the welfare of their country, and with confidence in a Prince who voluntarily intrusted them with a share in the national legislation, that he might derive benefit and information from their discussions,

and that every thing connected with the prosperity of the country might be subjected to mature deliberation, and the influence of public opinion.

"Such, in substance, was the constitution and the spirit which pervaded it. The remainder is only a series of consequences, naturally arising out of these principles. Here, therefore, I might terminate this Memoir; but history can never be too rich in opinions and facts; and I shall therefore, with the view of adding to its stores, proceed to give a slight sketch of the other parts of this fundamental law of the state.

"As a principal article of policy, the constitution required the strictest neutrality to be observed with foreign nations, even with those which were barbarous at all times, and under all circumstances, by sea as well as by land.

"The Government was prohibited from forming any alliance, either offensive or defensive, as well as from receiving assistance and protection from foreign powers, or giving them the least aid, except according to the terms of the strictest neutrality. These terms had been amply set forth and explained in a manifesto, which had been published on the subject, without exciting any remonstrance on the part either of the greater or lesser states.

"I shall not enter into any detail of the articles of this manifesto; they will be related by those who may undertake to write the history of Leopold. All

that is necessary to be known on the subject is, that neutrality having been rendered an article of the political creed, the observation of which was indispensable to a country of limited extent and resources, we need not be astonished that no mention is made in the constitution, either of the power of making war or peace, of entering into alliances, granting subsidies, and other similar acts.

" The army was to be entirely national, and regulated in the manner which I have pointed out in its proper place. Before the publication of the constitution, it was to be completed and organized in every respect and in every place; and if by any unforeseen calamity it should happen to be destroyed, it was hoped that a better choice and more honourable appointments, would be sufficient to restore it; and also, that a better plan of organization might be substituted for that which had been adopted.

" The construction of fortresses and other similar edifices was expressly prohibited, and those already in existence were not allowed to contain any artillery, even although it should have been placed there merely for the purpose of preservation.

" Some exceptions were made on this point in regard to Leghorn, on account of its maritime situation; as well as to the Islands of Porto Ferraio, Gorgona, and Giglio.

" Leopold was well aware that Porto Ferraio was a great burthen to the state, to which it yielded no

revenue; but he could not see in what way it was possible to rid himself of it.

" Freedom of commerce became an article of the constitution, of which any infringement, even of a temporary nature, was strictly forbidden; as well as all attempts to affect it in any indirect way by means of imposts, taxes, or any other impediment.

" No national, communal, or provincial debt, could be contracted; and in regard to communal debts already contracted, their liquidation by the communes was ordered to take place according to a regulation introduced for the purpose.

" Neither could any debt be contracted on the patrimony of the crown, which was declared inalienable, indivisible, and incapable of being claimed.

" And, as the property which had been annexed to this patrimony, did not yield a sufficient revenue for the proper support of the Grand-duke and his family, the public treasury was charged with the annual payment of the additional sum required for that purpose.

" The declaration which Leopold wrote with his own hand, is worthy of being held up as an example to all other princes; namely, that the state could not be obliged to furnish any supplies, either for portions to the princesses, for the expense of maintaining them, or for the establishment or promotion of the princes of the reigning family.

" The Tuscan territory was declared incapable of

increase, diminution, or exchange, in any way, for any cause, or from any source.

" The princes of the reigning family were prohibited from receiving the investiture of any ecclesiastical benefice in the patronage of the crown; as well as from occupying any situation in the state, civil or military. This prohibition was also extended to princes of foreign families, possessing royal authority.

" The sagacity and foresight of Leopold, in the introduction of these provisions, is truly worthy of admiration. He appears to have been perfectly aware, how easily places filled by younger branches of the reigning family degenerated into sources of abuse; how very rarely they failed to give rise to intrigues and disorder in the Government, and how totally impossible it was, that ecclesiastical benefices intrusted to such persons, could promote the ends which they were destined to accomplish.

" The prerogative of granting pardons had been reserved in favour of the Grand-duke; but simply for the purpose of commuting or diminishing the corporal punishment adjudged to those already condemned. It did not extend to the remission of fines.

" Leopold refused to accept any privilege of interfering in causes of a civil nature. The courts of justice were organized in such a manner, as to enable them to decide all matters, whatever might be their nature, according to the strictest equity.

" In the preamble to the provisions introduced for that purpose, Leopold expresses himself in the following magnanimous terms: Only a weak or evil-minded despot can believe himself superior to the law; because its end and intention being to regulate and preserve the rights of private individuals, it is evident that any restraint upon its operation, in behalf of one or other of the parties concerned, must be either a gross abuse of power, or an effect of the imprudence, versatility, or ignorance of those judges, who introduced this new species of clemency—a clemency which can never be extended to any one, without wronging or injuring that party in whose favour the law has decided.'

" ' If the law is not good,' adds he, ' let it be reformed; if it is not explicit, let it be rendered intelligible; if it is not sufficiently comprehensive in its enactments, let it be amended; not when a particular case or difficulty occurs, for which it contains no provision, but after mature deliberation, and by the authority of the legislature.' He next proceeds to lay down rules for enabling the judges to terminate all processes which might come before them, definitively, according to the law, and without leaving any ground for a renewal of judicial proceedings.

" Such was the part of the judicial regulations which was to be promulgated along with the constitution, in order to enable him to insert in it an article for the annulment of every species of clemency or

pardon. The remaining part cannot be introduced here, because no perfect idea of it could be conveyed without detailing the entire plan, as well as the discussions which took place in regard to it between two eminent lawyers.

" A list of all the offices and employments of the state, civil, military, and judicial, was to be drawn up, and their respective salaries fixed; the whole to be in the nomination of the Grand-duke, according to the mode pointed out by the constitution, without any power or authority to alter them in the smallest degree.

" The appointment of the bishops and the power of collating to ecclesiastical benefices, whether under the patronage of the Grand-duke, or that of the communes, as well as to military crosses of honour, was to take place in the same manner.

" The royal prerogative, to give an idea of it in as few words as possible, extended to every thing not contrary to the fundamental law of the constitution.

" The Grand-duke, as the head of the Government, was intrusted with the execution of the law, and invested with ample authority for that purpose, — the nomination to all offices and employments in the state being not only dependent on him alone, but also the power of issuing all orders, regulations, and provisions, necessary for insuring the observance and execution of the laws.

" All laws in existence on the day that the consti-

tution was promulgated, were to be considered as binding and valid.

"Such was, in substance, what would now be termed the executive power, a power limited only by the constitution, of which the legislative power, as well as the right of petition, were inherent parts.

"It was certainly a subject of no small wonder and astonishment, at a time when the doctrine, that 'the sovereign was every thing and the prince nothing,' was still held, to see a prince of the House of Austria foremost in proclaiming the rights of mankind, and instructing his subjects in sound principles of civil liberty, by decreeing what I shall now briefly state before terminating these Memoirs.

"New laws might be proposed by the general assemblies, but could not become binding until they had received the sanction of the sovereign; and in the same way the latter could submit projects of new laws to the former, which, after being discussed and agreed to by the assemblies, became the statute law of the kingdom.

"Deeply impressed with the importance of obtaining a thorough knowledge, not only of the general wants and wishes of the kingdom, but also of every province, commune, and individual which it contained, in order to deserve and inspire that confidence which is necessary to procure due obedience and submission from the subject, Leopold strongly recommends, that nothing may be concealed, through

a false feeling of respect, from him, which has been urged either in the assemblies, or in the petitions which have been presented to them. No one, says he, ought ever to imagine that the sovereign either wishes, or can wish, any thing more anxiously than the public good, in its utmost extent; whatever he may do contrary to that, ought to be attributed not to malicious intention, but to the weakness of humanity, or to those deceptions to which princes are but too much exposed.

"In pointing out the principal duties of the representatives of the people, Leopold placed in the foremost rank that of preserving the constitution inviolate, and of opposing in the most honourable and courageous manner every thing which tended to lessen its activity, or to invade its authority and privileges.

"Among the most remarkable parts of the constitution, were the formulæ for denouncing in the assemblies of the nation all acts and petitions of a nature contrary to its spirit—formulæ which applied to petitioners sanctioned by the ministry or the sovereign, as well as to those who enjoyed no such protection.

"While declaring that in regard to all matters not within the royal prerogative, the consent of the people was absolutely necessary, Leopold also promised to use his utmost efforts to bring forward only such proposals as were worthy of being well received by the nation; and exhorted its representatives to act

in the same manner in regard to those which they submitted for his sanction. This was a language which people had hitherto been unaccustomed to hear from the lips of a prince.

"The annual accounts of the income and expenditure of the state were ordered to be publicly scrutinized by the national assembly; and the Minister of Finance enjoined to give every information and explanation which might be required in regard to them.

"No addition to the salaries of the officers of Government could take place until it had received the united sanction of the sovereign, and of the representatives of the people; and the same rule was applicable to all pensions and gratuities for extraordinary services.

"Every officer in the employment of Government, whatever might be his rank, was to be dismissed, without any hope of being again restored, if declared unfit for the duties of his office; but for such an act of authority the unanimous consent of the whole representative assembly (though not of the prince) was absolutely necessary.

"Leopold always dreaded the influence of the ministry, an influence which they employ to gain the favour of the sovereign, by putting in force every species of artifice for the extension of the royal prerogative. It is in this way, in fact, that they succeed in dazzling the weak and the ambitious.

" The article which required the succession to the throne to be kept in the male line, to the exclusion of females and their descendants, was declared irrevocable and unalterable.

" One principal defect in the constitution lay in its not having made any provision for the occurrence of a minority or regency, for the education of the young princes who were afterwards to be raised to the throne, for cases of incapacity arising from mental alienation, or finally, for gross and violent breaches of the charter; but it must be borne in mind that people were not then so well skilled in forming constitutions as they have since been.

" Before the prince could be crowned, or exercise any part of the sovereign authority, it was absolutely necessary that he should have agreed to the constitution, and solemnly promised to observe it.

" The assumption of the sovereign authority was to take place publicly, and to be accompanied with various ceremonies which would be useless to detail here.

" By the articles of the constitution, no new fiefs could be created, nor those which became extinct be conferred anew.

" The imposts, taxes, royal droits, were to remain the same, without either increase or diminution, as they stood at the promulgation of the constitution. Those intrusted with the collection were obliged to

deliver an annual account of the amount received. The same rule was also to be observed by those having the charge of communes.

"The Minister of Finance was personally bound to give in a detailed report of all these accounts to the general assembly.

"The sale or farming of the taxes, duties, or droits of the state was expressly forbidden by an article of the constitution, as well as the grant of exclusive monopolies in any branch of trade or manufacture whatever, whether on account of new and useful inventions, or under pretext of profit to the treasury.

"I shall not enter into any detail of the numerous regulations which were made for holding elective and representative assemblies, because they do not form a principal feature in the admirable work which Leopold was desirous of perfecting. It is of some importance, however, to remark, that those employed in the service either of the Court, or of the State, were excluded from sitting in the national assemblies, as well as all those who received pensions. All of them, however, enjoyed the right of petition; and those who held offices under the communes might, notwithstanding, act and vote in the national assemblies.

"Leopold was perfectly aware of the influence which the holding of any office or appointment exercises on those who are possessed of it, as well as of the extent to which the vanity of those who re-

ceive any marks of honour or favour from the court will sometimes lead them. He was therefore anxious to prevent the possibility of the royal authority being employed, as otherwise it might have been, to corrupt the members and influence the votes of the national assemblies.

"With the aid of these Memoirs, containing the substance of the projected constitution, it appears to me that the historian of the reign of Leopold will have it in his power to give a striking proof of his political philosophy, as well as of that magnanimity by which he was characterized, and which is so rarely to be met with in other princes.

"The measures adopted in regard to Leghorn remain to be noticed. The substance of them was, that the commune of Leghorn was excluded from the provincial assemblies: the right of petition and the communal assemblies being left entire.

"Petitions which had been received and passed in Leghorn, were to be sent to the general assembly for discussion and final settlement by a speaker who had no vote in the communal assembly.

"The total abolition of the navy, of which however there were still some remains, was also decreed.

"By the constitution, all military stations, and all armed vessels for enforcing quarantine, and maintaining observation between the islands and coasts, as well as for the conveyance of expresses, the safeguard of the coasts, and their necessary equipments;

the national guard, both horse and foot; the corps of artillery, fortifications, and the quantity of ammunition required, were all fixed in a determinate manner, in every place where it had been deemed proper to preserve these establishments on their former footing.

"I might have comprised within a much smaller compass what has now been said, if my object had been simply to record an important point in the history of Leopold, for the use of his future historian. Whoever may undertake this important task, can easily accomplish it, by excluding whatever may appear to him superfluous, and adding his own reflections, for the purpose of illustrating so memorable an event.

"The constitution was never carried into effect;—a circumstance which may possibly obtain for it the applause of a public which has had no opportunity of witnessing its effects upon the spirit of the nation, upon the feelings and sentiments of the ministry, or upon the constancy of a Sovereign whose qualities were of too lofty a nature for the small extent of his dominions. If malignity should suggest that a prince, whose authority is limited by the fundamental laws of the state, is nothing more than a subject of the nation, it might be very properly said in reply; 'Much more happy and fortunate is the prince, whether weak or ignorant, who is governed by the representatives of the people, than he who is

held in subjection by some proud and favourite courtier, by a crafty minister, or a miserable prostitute.'

" Happy, therefore, it may be added, is that country in which the sovereign is endowed with all those qualities which good government requires, and who is fully aware of the utter impossibility of executing by his own unassisted power the important duties of his high office! Happy that country in which the sovereign disdains not to avail himself of the information and assistance of his subjects; in which he inspires the confidence and zeal necessary for rousing the energies and activity of the people; and instead of dreading their superior influence and authority, courts their aid and advice as the surest means of enabling him to discharge his duty as sovereign, and of increasing his glory by promoting the welfare of the country;—because it is infinitely more difficult to find in one man, who is born to command, those virtues and talents which are indispensably necessary for governing well and wisely, than to unite a whole assembly in the furtherance of that general prosperity in which it is itself to participate along with those whom it represents.

" As the vices of every government, while they do injury to one party, are necessarily profitable to another, so there results from this circumstance an unjust preponderance, which always prevents governments from reforming themselves until the evil

has become incurable, intolerable, and universal. In such cases the wild despair or complete demoralization of the people, call imperiously for a reform of the old system, or the substitution of a new one. Reason soon discovers in these, vices and errors of equal magnitude with those formerly complained of; and men again wish for what they formerly detested and destroyed."

CHAPTER VIII.

Account of the Ecclesiastical Assembly of Florence, and of the Acts passed by it.—Answers of the Bishops.

THE Ecclesiastical Assembly of Florence is much less known out of Tuscany, than the Synod of Pistoia; yet the collection which contains its history and its acts, is very voluminous. For these two reasons, we have thought that it would not be altogether useless to give in this place an extract from a work so very important in many points of view, and especially to Governments which profess the Catholic religion, or of which the subjects are Catholics. The extract will also be equally interesting to those who, in reading the Life of Ricci, are desirous of knowing the principal opponents of the reforms projected by Leopold. We shall add to it a few documents relative to the ecclesiastical jurisdiction exercised by the civil power—documents which were printed during the life-time of Leopold, and which were intended to

enlighten his clergy, and prepare the way for those measures to which he was desirous that they should agree, for the general welfare of the Tuscans.

§ I. One of the seven quarto volumes which contain the acts alluded to, is entitled " The History of the Assembly of the Archbishops and Bishops of Tuscany, held at Florence in 1787."* It was printed at Florence, in 1788; and drawn up, as well as the other six volumes, by the Abbé Reginald Tanzini.

The preface contains a deplorable picture of the ignorance and servility of the Tuscan clergy at this period.

"The famous constitution *Unigenitus*," it is observed, " which encountered so much opposition in France, was received in Tuscany without the slightest objection or hesitation; all that is necessary to remark in regard to it, is, that in a synod of Pistoia held in 1721, it was placed immediately after a short confession of faith.

" Not only were the Bulls of the Popes considered as so many irrevocable laws, which were not subject to the smallest explanation; but also, all the decrees and consultations of the Romish Congregations. If a book was inserted in the Index Expurgatorius, it was a sufficient reason for ordering it to be burned, or for locking it up in some inaccessible corner, to serve as food for the worms, along with the Koran, and the writings of atheists and sceptics.

* " Istoria dell' Assemblia," &c.

" Every action, every faulty and inconsiderate expression, which had happened to give offence to any hypocritical or ignorant female, were viewed in the light of crimes, which it was proper to bring to the knowledge of the Inquisition, and to punish in a more terrible manner than ordinary offences against the laws of civil society.

" The Count della Gherardesca, Archbishop of Florence, along with Incontri, the able opponent of the Casuists, and even Martini, who were his successors, laboured with great zeal to dissipate such gross ignorance. The first had the Catechism of Montpellier translated into Italian, and distributed throughout his diocese. Rome condemned the translation, and the prelate died of chagrin."*

Bishop Alamanni exerted himself in the same way to diffuse information through Pistoia and Prato. " The ignorance in that diocese was so deep-rooted and scandalous, that many of the priests not only did not understand, but could not even read Latin."† Alamanni's vicar, who had the character of being the most learned person in his diocese, warmly opposed the plan of instituting a theological professorship, under pretence that it was dangerous to allow the young clergy to investigate the evidences of religion, and become acquainted with the arguments which had been employed in attacking it.

It was the doctrine of Probabilism (*probabilisme*)

* Ibid. p. 10. † Ibid.

with which Alamanni had to contend; and which he resisted successfully, though not without much disagreement, by opposing to it the morality of Father Concina. Such, in fact, was the ungovernable violence of the two parties, that they had recourse not only to calumny, but to blows; and the Government was finally obliged to banish the heads of the *Anti-Concinniste* faction.

Ippoliti, who succeeded him, followed his example. The writings of the monks of Port-Royal, Arnauld, Nicole, Duguet, Gourlin, and Quesnel, were disseminated during the time that he was Bishop; and Ricci finally completed their triumph.

The dioceses of Colle and Chiusi followed the same example. *

Next comes a statistical account of the ecclesiastical state of Tuscany. In 1784, the Grand-duchy contained the astonishing number of 7,957 secular priests; 2,581 persons in orders of an inferior rank; 2,433 regular priests, along with 1,627 lay-brothers, distributed over two hundred and thirteen convents; besides 7,670 nuns, occupying an hundred and thirty-six establishments of seclusion. †

Then follows a long enumeration of reforms effected by the Grand-duke, before convoking that assembly, which was to put the finishing stroke to his ecclesiastical designs, to prepare their ratification, and to give notice to the approaching national

* Ibid. p. 11. † Ibid. p. 12.

council, of the measures which he intended it to complete and put in force.

It is there remarked, that Leopold endeavoured to give fresh vigour to ecclesiastical studies by the foundation of academies, which should be strictly confined to such an object; that he strongly inculcated on the bishops the necessity of keeping a vigilant eye on the morals of the clergy, and of admitting no one into the priesthood who was not in every respect worthy of becoming a member of it. He farther adopted every possible measure for preventing the too great poverty, and consequent contempt, of the clergy; he rendered the curacies perpetual, and compelled the curates to reside, and to perform their duties with punctuality. Next he abolished the exemptions and noxious privileges enjoyed by the regular clergy; and it was his desire that they should neither be dependent on Rome, on any superior, or any bishop residing without the limits of his states. He never appointed any superiors but such as were Tuscans and natives of the kingdom; he suppressed the class of hermits; and he was anxious to prevent the payment of taxes to any one not residing within the kingdom; he prohibited females from assuming the religious habit before the age of twenty-five, and from making formal profession before they were thirty. It is stated that he reduced all the female convents where the communal life was not, or could not be strictly observed, and converted them

into conservatories entirely dependent on the Government except in spiritual matters, in which no vows were required, and in which they were obliged to instruct young females, and to keep open school; that he diminished the pomp of the church festivals and ceremonies, as well as their numbers; that he abolished all societies denominated *Pious*, all congregations, confraternities, and third orders, &c.; and that he substituted for them a single confraternity, called the Confraternity of Charity, which was ordered to assist in the discharge of religious functions, in succouring and relieving the sick, in accompanying the viaticum, &c. He suppressed the Inquisition, and restored to the bishops the right of trying spiritual causes, exhorting them at the same time to conduct themselves with clemency and mildness; he forbade, in the strongest terms, the publication of any address, censure, or excommunication, which had not been sanctioned by the royal *Exequatur;* he totally prohibited and suppressed the bulls *In cœna* and *Ambitiosæ;* abolished the privilege enjoyed by the priests of trying laymen in their courts; and subjected every one in holy orders, to the jurisdiction of the civil tribunals, when the offence charged was of a criminal nature. Finally, he left to the ecclesiastical courts, merely the cognizance of matters of a purely spiritual nature.

The preface is followed by a preliminary discourse, in which the author informs us, that the

Tuscan bishops, in obedience to the orders of the Grand-duke, prepared to hold their diocesan synods, when they received from Leopold fifty-seven questions, or theological points, which he desired them to consider, and to send him their answers.

The same was signified in a second circular, dated Jan. 26th, 1786, which contained, besides, a declaration of the intention of Leopold to purge religion of the abuses and superstitions by which it was disfigured, and to restore it to its primitive purity and perfection. He at the same time implored them to express their sentiments fearlessly and boldly on that head. The intelligence and information of the Grand-duke were every where admired, says M. Tanzini, and his fifty-seven points were reprinted in France.*

Ricci availed himself of this circumstance to hold a diocesan synod of Pistoia.†

The answers of the bishops to the fifty-seven points being far from uniform, the Grand-duke adopted the resolution of calling, previously to the convocation of the national council of which he had sketched the plan, an assembly of bishops, in which the matters intended to be agitated should be prepared and discussed in such a way as to leave no pretext for opposition or discord. On the 17th March, 1787, the bishops were convoked, and their assembly opened on the 23rd April following.

* Ibid. Proemio, pp. 3, 4. † Ibid. Proemio, p. 5, et seq.

The whole of Tuscany was occupied with this event, and more particularly those persons who had either been delighted with the suppression of the Jesuits, or who deplored that unexpected catastrophe. The former opposed, along with the Prince and some Tuscan prelates, the pretensions of the Court of Rome and the superstitious notions of the vulgar, particularly the Worship of the Sacred Heart (*Cordicoles*), which was the rallying sign of the secret Society of the Jesuits, the impenetrable mystery of whose proceedings concealed the continual additions which it made to its members. The others, on the contrary, employed, of course, every means in their power to support that society, and were aided in their pernicious designs by the populace, the monks, and the See of Rome.

Three archbishops and fourteen bishops attended the first session, and were, each of them, accompanied by two or three legal advisers. A violent dispute took place in regard to the manner of expressing the opinion and will of the assembly, or rather on the canonical mode of procedure in councils of a similar kind; the resolutions of the assembly, on that point, naturally serving as a model for the guidance of the approaching national council. The opposition party, that is to say, five-sixths of the members of the assembly, loudly called for the plurality of votes, which were in their favour, as the best mode of expressing it; the other party insisted on the

unanimity which the Grand-duke had demanded in his circular. The question was finally determined in favour of a plurality of votes, and the Bishops of Pistoia, of Colle, and of Chiusi, were obliged to content themselves with an insertion in the acts of their protest against this irregularity.*

The second session opened by a recommendation of secrecy in regard to the proceedings of the assembly,—a secrecy which had been violated in so scandalous a manner, in regard to what had taken place at the first meeting of the bishops, that the speeches of each of the members had been very currently reported in almost every house at Florence.

They next proceeded to an examination of the three first points proposed by the Grand-duke. All the members agreed in the opinion expressed by the Prince, except in regard to the deliberative voice which he conferred on those who were only priests, and which the assembly, with the exception of the Bishops of Pistoia, Colle, and Chiusi, and the canons and theologians de Vecchi, Tanzini, Palmieri, Longinelli, &c. would only recognize as consultative. In the very animated discussion which took place on the subject, the Bishop of Pescia behaved with the greatest violence, and allowed himself to be so transported with passion, as to accuse Palmieri of heresy, because he had proposed an examination of the divine right of the priests to sit as synodal

* Ibid. Sess. 1, p. 15, et seq.

judges. Lampredi, the adviser of the Archbishop of Pisa, gave the appellation of conventicles (*conciliabules*) to those councils which had permitted such an irregularity, notwithstanding his opponents having distinctly proved that such had been the practice in the Apostolic councils, and in all those which were held in the times of the primitive Church.*

In the third session, the subject of the plurality or unanimity of votes, as necessary for guiding the decisions of the approaching council, was renewed. The fifteen bishops of the opposition party declared in favour of a plurality, in all cases whatsoever; the remaining three, only in cases relating to the discipline of the Church, strict unanimity being always required in matters of faith.

These three prelates gave in their vote, concerning the deliberative right of the priests in synodal assemblies, for insertion among the acts.

The assembly next proceeded to an examination of the fourth point, on which no discussion took place; the necessity of correcting the missal and breviary having, in fact, been agreed to by a resolution. The three metropolitans were ordered to execute this duty with as little delay as possible.

The proposal for using the language of the country in the administration of the sacraments was not so well received; and the opposition, in endeavouring to combat its propriety, gave proofs of their igno-

* Ibid. Sess. 2, p. 26, et seq.

rance, which were very carefully exposed. However, after showing the opponents of the measure that the Latin language was universally understood and spoken, at the period of composing the liturgy, all of them agreed that it would be proper to employ a language which was familiar to the people. Ricci, on his part, gave proofs of his moderation, by declaring that he did not deem it prudent to make any innovation under existing circumstances, until the people generally were sufficiently enlightened to view such a change without alarm.*

In regard to the fifth point, the fathers were unanimously of opinion that the bishops possessed the privilege of granting all lawful dispensations. The opposition party maintained that the privilege of granting them enjoyed by the Court of Rome ought to be respected; but became divided as to whether it would be sufficient to demand from the Pope power to resume their ancient rights, or whether it would be most proper to receive at his hands the power necessary for granting dispensations. The three bishops of the adverse party refused to agree to this last proposition, because it would have the effect of making the episcopal body be looked upon as merely the delegates, in that respect, of the See of Rome, which ever afterwards, whenever it might think proper to repent of the concession, might resume the privilege under pretence of its being merely

* Ibid. Sess. 3, p. 41, et seq.

a temporary grant. These three prelates having finally agreed, out of respect to the head of the Catholic Church, and for the purpose of attesting it by a specific act, to request permission to resume the exercise of their ancient rights, (of which they only considered themselves the depositaries, and which they consequently could not give up,) the Bishops of Samminiato and of Soana joined them. The others continued their opposition, principally at the instigation of the Archbishop of Pisa.*

By order of the Grand-duke, the affair of the Bishop of Chiusi and Pienza was taken into consideration. A pastoral letter in regard to the *hidden* truths of sound doctrine, which he had addressed, in April 1786, to the clergy and the orthodox part of his diocese, had been approved by several theologians of the highest merit and reputation, and was afterwards printed and published. Rome condemned it in the course of that year by a brief, which it transmitted to the prelate, accusing him of evil intentions, and enjoining him to retract. The prelate, in his reply, cleared himself from the accusation as to the purity of his intentions, of which, he said, no one had any right to judge; demonstrated the absolute impossibility of retracting the whole of what he had advanced in his pastoral address, inasmuch as it contained many unquestionable articles of belief; and requested that the errors of which he had been guilty might be pointed out to

* Ibid. Sess. 3, p. 41, et seq.

him as soon as possible, as he only waited to be made aware of them, in order to retract them. Next year the Pope despatched another brief, much more violent than the first, and full of the grossest abuse, not only of the Bishop of Chiusi, but of the whole episcopal body of Tuscany, of the Government, and of the Prince who was at its head, and who, it was there alleged, was tinctured with heterodox opinions. The prelate, in despair, after such a gross personal insult, of receiving any justice at the hands of the Court of Rome, communicated the whole affair to the Grand-duke.*

. At this part of the volume there occurs an excellent memorial, drawn up by Ricci, and read in the assembly, concerning the inalienable rights of the clergy to full and absolute jurisdiction over their dioceses—rights of which the councils neither wished nor could deprive them, and which they have only explained by the canons; rights which all pastors are obliged to claim in full, as received from God, and which they must exercise for the good of those committed to their charge. We have extracted the whole of the passage which relates to the reservations of the Court of Rome.†

"During the first ages of the Church, no instance occurs of any general and perpetual reservation by the councils in favour of the Pope, nor of any limi-

* Ibid. p. 69, et seq.

† Ibid. Sess. 5. p. 73, et seq.

tation of the power of the bishops prescribed by the Popes themselves. What now remains of the applications which were made to Rome at that time, are in fact any thing but reservations or limitations. The practice of the Church then was, to communicate to the See of Rome the most difficult and important cases which occurred; to inform her of the fortunate or unfortunate state of the churches which were spread abroad in different parts of the world, and to request her to interest herself in regard to them. The Church of Rome communicated in the same manner her affairs to the other churches, particularly to those which were most celebrated and most respectable. As they only formed altogether one body and family under the authority of one supreme and invisible head, Jesus Christ, every thing which occurred, whether fortunate or unfortunate, was considered as affecting the whole. The communications to the Church at Rome were naturally of more frequent occurrence than to any other, from its being, without exception, the most important and respectable. That circumstance, however, does not by any means prove a right of reservation on her part, which in fact is contradicted by what actually took place on such occasions; the most authentic of the ancient decretals being only simple advices or exhortations.

"Rome herself did not even pretend to the possession of any legislative authority. The Popes,

when they were consulted on any point, either solved the doubts which were proposed, or prescribed the observation of rules, not on the authority of any laws enacted by themselves, or any right of reservation, but on that of tradition and the canons, to which they acknowledged themselves bound to yield obedience. Whenever they attempted a departure from these principles, or sought to convert them to any bad purpose, the rest of the churches protested against the irregularity of the proceeding, and boldly applied to it the proper remedy.

" There can be no doubt that the attempt to legislate for, and to command the rest of the churches, took its origin after the period of the false decretals, and that it was not made either immediately or at once; for, in general, even the decrees of Innocent the Third and Alexander the Third retained for a long time after that period the mere character of exhortations and advices. The frequency, however, of these consultations, the universal ignorance which prevailed every where, except at Rome, the justice and propriety of the replies, and more than all, the political circumstances of the times, made the advice of the Popes be carried into effect without the slightest hesitation or modification. Hence they came, in the course of time, to be considered as of equal authority with the laws; while the Popes themselves, not finding any resistance to their injunctions, and probably believing that they were

invested with authority to pronounce them, went so far as to pretend that every thing relating to the church was within the cognizance of their jurisdiction.

"Nothing, however, is more common than to see absolute and unlimited power degenerating into excess and tyranny; and such was the case with the authority of the Popes. The extravagances of the despotism of the Court of Rome gave rise to murmurs and dissatisfaction. The power which they enjoyed was never a source of peace and tranquillity. The concordats of Germany and France, the pragmatic sanctions, the liberties of the Gallican church, as they were called, are all of them to be considered as so many proofs of the opposition which was made to the attempts of the Court of Rome, and as so many bulwarks raised by the bishops and the people, with the view of preserving to themselves some portion of their primitive and indestructible rights.

"The councils of Constance and Basle wished to strike at the very root of the evil; that of Trent attempted to restore to the bishops as much of their authority as the preponderance of the Court of Rome would permit. All these attempts have been unsuccessful; and Rome, by the creation of its numerous Congregations, has devised so many methods of multiplying its reservations, that they have become so numerous as scarcely to leave at the disposal of the bishops a shadow of the authority which

originally formed an essential part of the episcopal character."

The seventh article was next taken into consideration. The opposition spent but little time in combating the uniformity of instruction and doctrine demanded by Leopold, in order that it might let loose all its fury and violence against St. Augustin, whom it used every effort to blacken, as being the only source of that uniform doctrine. Lampredi went so far as to declare the holy father a hot-headed declaimer,—a circumstance of which his adversaries failed not to take advantage. The opposition bishops, not knowing either how to avert the blow with which they were threatened, or how they could deny the authority of a father of the Church so celebrated as St. Augustin, offered to admit it, on condition that his works should always be accompanied by those of his faithful interpreter St. Thomas. They were aware that the Dominicans had succeeded in making that scholastic writer speak the language of the Jesuits, and they were desirous of making common cause with them.

It was objected, however, that the consequence of such a proceeding would be, a return to all the absurdities of the ancient school; that the writings of St. Augustin had been perfectly well understood until the time of St. Thomas, who had rendered them obscure by his attempts to explain them; that Baïus, Jansenius, and Quesnel, to whom it was pre-

tended that he had given birth, made their appearance after his interpreter; and finally that the proposition of Father Mamachi, *Augustinus eget Thoma interprete*, (St. Augustin requires the explanations of St. Thomas,) had been tacitly condemned in latter times by the See of Rome. It was, in fact, only in consequence of this partial concession on the part of the Court of Rome, that Father Vasquez, general of the Augustins, had recalled, in 1799, the prohibition which he had issued four years before, to quote or name St. Thomas in any disputes which might arise in future: the time, said he, was gone by, in which there was any ground for dreading what he termed "the bugbear accusation of being tinctured with that chimerical heresy, denominated Jansenism."

The necessity, however, of accompanying St. Augustin with the explanations of St. Thomas, was decreed by a majority of the assembly, and a commission named to regulate the method of instruction, and to point out the authors who had been most successful in expounding the doctrines of the holy father. It is not a little remarkable that a work was proposed in which the adversaries of the opposition proved that the writer had inculcated the seditious maxims of Gregory the Seventh, by applying to sovereign princes the epithets of "servants of the Popes;" by decrying the authority of general councils, and converting the Roman Pontiff

into an absolute despot. The Archbishop of Florence denominated these grave errors "trifling blemishes," an expression on which Ricci commented with much warmth and severity.*

The measures recommended by Leopold in his eighth article for preventing any persons from receiving ordination, except such as had been properly instructed, whose morals were unexceptionable, and whose vocation could not be called in question, as well as for preventing a greater number from being ordained than was absolutely required for the service of the Church, gave the opposition some reason to fear that he wished to diminish the number of the clergy. It accordingly employed its utmost efforts to prove that Tuscany, instead of having too many priests, or any who were useless, rather stood in need of some addition to its present number; and urged that opinion with such determined obstinacy, that it became necessary to allow each bishop to regulate his diocese in that matter as he might deem most proper. The consequence was, that while all agreed to the truth of the principle that no useless priests should be ordained, each reserved to himself the right of ordaining as many as he chose. The clergy denominated Eugenian, belonging to the cathedral of Florence, who were made priests for no other reason than the services which they had rendered to that church, were exempted from all reform; from

* Ibid. p. 80, et seq.

thirty-three clerks who composed it at its commencement, that body had increased to one hundred and fifty. The grand argument employed throughout the whole of this discussion was, that bishops ought not to tie up their own hands.*

The same argument was made use of to combat the ninth point, concerning the necessity of fixing eighteen as the proper age for receiving the tonsure, and entering into the clerical profession; as well as of ridding the churches and the service, of the children employed in the choir, who went through their duty with as little decency as fervour. The fear of seeing the numbers of the clergy diminished by the lopping off of any one of the shoots from which it was increased, was so great, that it became necessary to leave this article also to the discretion of the bishops.

The testimony given by Doctor Longinelli, who was director, during eleven years, in regard to the Eugenian clergy of Florence, the most numerous perhaps in the whole of Europe, is worthy of being recorded. Speaking of their disorderly habits, he says, "At the time that I resided in that city, I used my best endeavours to eradicate, at least, the most apparent causes and occasions of the irregularities which were committed, such, for example, as the nocturnal service; but I dare not flatter myself that I succeeded in extirpating the whole. The admixture of

* Ibid. Sess. 6. p. 98, et seq.

so many little boys of very tender years, opens up so many sources of disorder, that the utmost vigilance of the most attentive master is incapable of detecting them. The children who enter into the society of these young clerks, find these disorders in full operation, and in a short time they also become infected with the contagion."* Longinelli reckons four hundred persons in orders, at Florence alone.

The tenth, the eleventh, and the twelfth articles, furnished but little food for dispute. The opponents of the measures promised to conform themselves to them as far as possible; and the other bishops declared that they would regulate their conduct by the expressions of Leopold, in the same way as in the case of the two preceding articles.†

The thirteenth article presents nothing remarkable, except the unanimous adoption, after some little debate, of the principle put forth by the Grand-duke, namely, that the right of patronage in the case of churches, cannot justify any one in nominating a pastor who is disagreeable to the congregation; and that due deference must be paid in every case to the right which the people have to good spiritual directors and solid instruction.‡

The fourteenth article gave rise to a very interesting and very animated discussion on the practice of asking charity for saying masses; a means employed

* Ibid. p. 105, et seq.

† Ibid. p. 112, et seq.

‡ Ibid. Sess. 7, p. 116, et seq.

by an avaricious priesthood for retaining the people in a state of ignorance, and inducing them to believe that they thereby purchase the holy sacrifice and its spiritual effects. The practice had been permitted when the necessary number of the clergy was poor, and was consequently obliged to procure its support from the charity of the people; but since it had possessed in abundance what was necessary for its maintenance, it only served to increase the numbers of the useless clergy, who looked upon their profession merely as a trade and means of subsistence. The opposition, from an opinion that the Church had not enough of property to support all its ministers (without reflecting whether there was not a superfluous number), caused a resolution to be adopted, that the bishops should each of them regulate that matter according to the necessities of their dioceses.*

The fifteenth article was treated in the same manner. The opposition party agreed as to the incompatibility of more than one benefice requiring personal residence, being conferred on one clergyman; but they would not consent to the cession of several simple benefices, until their joint incomes should amount to sixty crowns, (14*l.*) as the Grand-duke proposed, for the support of a chaplain or curate. They saw also in this proposal the much dreaded diminution of the numbers of the clergy, and even openly avowed their fears, saying, that out of five

* Ibid. p. 119, et seq.

small benefices given to five ecclesiastics, there was always a certainty of finding one really good priest —a circumstance which could not so certainly have been relied on, if they had all been united in one. This reasoning was easily refuted by their adversaries, who insisted on obedience being yielded to the commands of the Prince, by excluding from the orders all the lazy, and consequently useless priests, and by ordaining for the altar those only who deserved to be appointed.*

In regard to the seventeenth article, the opposition resisted the declaration, that the person promoted to the enjoyment of a benefice in a diocese should in all cases have been ordained within it; but it allowed, nevertheless, that it would be much better that such were the case.†

The twentieth and twenty-first articles furnished matter for a discussion in regard to those who were merely priests; that is to say, those who were not attached to any particular Church, and were only obliged to say mass, and to recite the breviary. The opposition party agreed to the propriety of doing away with that abuse.‡

Oratories and private chapels were attacked with much warmth in the course of the discussion which took place on the twenty-second and twenty-third articles. The bishops of the opposition party would

* Ibid. p. 123, et seq. † Ibid. Sess. 8, p. 132.
‡ Ibid. p. 137.

not hear of their being abolished: they consented, however, to join in prohibiting the celebration of divine service in them on Sundays and festival days, except by permission of the ordinary. The three bishops, and also the Bishop of Soana, demanded their entire suppression; particularly on the ground of the injustice of always granting the privilege to wealth and rank, which possess no merit in the eyes of the Almighty.*

The twenty-fifth, and following articles, in regard to the costume of the priests; the decency of conduct required from them, which necessarily prohibits them from hunting, frequenting the theatres, &c.; the dignity of the service of the Church, without either expense or shows; the ceremonies, fêtes, &c.— were intrusted, in so far as regards their execution, to the prudence of the bishops, according to the particular circumstances of their dioceses.†

The affair of the Bishop of Chiusi and Pienza was resumed. Notwithstanding the explicit orders of the Grand-duke, and the formal request of the prelate himself, the opposition party, consisting of his colleagues, peremptorily refused to examine the pastoral address in question, as well as the briefs of the Pope, through dread of offending the latter by rejudging not only what he had condemned, but also the sentence of condemnation itself. At last, they came to a resolution, in which the Bishops of Pis-

* Ibid. p. 140, et seq. † Ibid. Sess. 9, p. 150, et seq.

toia and Colle, along with those of S. Sepolchro and Arezzo joined, that each should give in his opinion in writing, and transmit it immediately to the Grand-duke, with a proviso, that their opinions should be communicated to the Bishop of Chiusi—an injunction which Leopold faithfully observed.*

The discussion on the twenty-eighth article brought under the attention of the bishops the small curtains, veils, or mantles, which it had been the practice to place before particular images. All the arguments of the bishops, theologians, and canonists, who spoke in favour of the proposal of the Grand-duke, however striking and well-founded, could only prevail on the opposition party to agree to the unveiling of the images which were held in the smallest estimation. According to its opinion, the ancient images might remain veiled, without producing the least inconvenience; provided always that the bishops took care to instruct their flocks not to attach any material or superstitious idea to that mark of respect.†

The twenty-ninth article brought under their review the anniversary masses for the repose of the dead, which had increased beyond all bounds; the exorbitant number of masses generally; the gross indecency of saying several masses at the same time in the same church; the hurry with which masses

* Ibid. Sess. 10, p. 169, et seq.

† Ibid. Sess. 10, p. 177, et seq.

are said by those who celebrate them, who are driven to this indecent conduct, in order to make room for others; the quarrels which take place on that subject in the sacristies; the high or low rate charged for saying masses, according to the greater or lesser number of the candidates; the application of some masses to a particular person, either living or dead, according to the intention of the celebrator, or his constituent; the privileges attached to particular altars, days, and priests, &c. The Archbishop of Florence was the most obstinate in denying the existence of such abuses, and in wishing to preserve all these matters on the same footing on which they were. All the other prelates allowed that the abuses existed; but would not, nevertheless, consent to bind themselves to do any thing more than merely to instruct their flocks in regard to the communion of Saints, and to do away with the existing errors in as far as had been required by the Council of Trent.*

In the course of this discussion, there occur several very pointed remarks on the personal and local privileges of the clergy; on the Gregorian altars, to which, it was pretended, the power of rescuing a soul from purgatory at will, was attached, &c. We extract a few of the most remarkable passages.

" An error so very gross as that of the privileged altars, is connected with a great number of others in regard to indulgences. The condescension shown by

* Sess. 11. et ibid. p. 188, et seq.

the Church in granting absolutions, is in reality only a diminution of a part of the punishments pointed out by the canons of the Church: a diminution which, during the first ages, was only granted on account of extraordinary fervour in the penitent, or from a consideration of the impossibility of his undergoing the whole of the punishment which had been imposed on him. That favour now passes for a complete remission of sins; while the absurd and false opinion everywhere prevails, that whoever has departed this life in possession of a plenary indulgence, has no sin to expiate, and is received immediately into the regions of eternal glory. Under the impression of these and other equally ridiculous and exorbitant ideas of the power of the Pope, both in this and the other world, people have not hesitated to declare that the souls of the dead were equally capable of receiving the benefit of indulgences. They can only do so, however, in as far as a pure spirit can become subject to the fastings and humiliations which formed the punishment, and constituted the proof of the penitence of the earlier Christians."

It then goes on to say that the fundamental principles of religion are not known or recognized, and that they either will not or dare not investigate them. They do not even perceive that the excessive number of privileges of which they boast, are a sufficient proof of their being ill founded.

"If it were true, as is stated by some persons, that a soul was delivered from purgatory each time that a privileged mass, whether local or personal, was said, purgatory ought not only to be always empty, but to have a very large sum at its debit, in behalf of the souls who have not yet made their appearance there. In every parish church, by an indulgence of Clement the Thirteenth, the grand altar is privileged. There is always one of the same kind in every church of the regular monks, possessed of seven altars; and in every other the privilege exists, at least for some particular day in the week. The number of priests possessing the privilege personally is very great. On a moderate calculation, the privileged masses which are said every day in the city and diocese of Florence alone, amount to several hundreds, and consequently exceed, to a considerable degree, the number of persons who die in the course of the day. The same may be said to be the case proportionally in all Catholic countries."

The thirty-seventh article gave rise to the display of much sound argument and erudition on the one side in support of, and of much obstinacy, bad faith, and ignorance, on the other, in opposition to the desire which the Grand-duke had expressed of prohibiting more than one mass from being said at the same time, and of permitting only one altar in the same church. The opposition party would only go

so far as to promise to abolish those altars which were useless, or indecorously situated.*

On the fortieth article, the dispute in regard to the jurisdiction of the curates was renewed. The opposition party would not consent to their possessing any, and maintained that they were, and ought to be, entirely dependent on the bishops.†

The theologians and canonists delivered their opinions in regard to the affair of the Bishop of Chiusi and Pienza. All of them agreed in praise of his pastoral address, which they declared to be faultless, and in censuring the replies of the Pope, as well as the calumnies, and vague and undefined accusations which were preferred against the whole of the episcopal body, the Tuscan Government, &c. The only exception to this general agreement was Doctor Bianucci, who, from the beginning of the sitting of the assembly, had taken a decided part with the opposition, and who pretended that he had discovered some errors in the address of the Bishop of Chiusi, such as a condemnation of the usual practice of the See of Rome, of censuring false or heretical propositions in the mass; the admission of the divine right of episcopal institution; the eternal damnation of children who have died unbaptized; and the attempt to pass off the heresy of Jansenism as a chimera.‡

* Ibid. Sess. 12. p. 208, et seq. † Ibid. p. 219.

‡ Ibid. Sess. 13. p. 227, et seq.

Ricci took up the defence of the Bishop of Chiusi with much warmth, insisted on the bishops coming to a determination on the matter as soon and as clearly as possible, and on demanding from the See of Rome ample reparation for the injury; maintaining that if its error was once pointed out, the Court of Rome could not fail to yield to their remonstrances. The boldness of the Bishop of Pistoia is so much the more remarkable, as he had just received intelligence of the insurrection which had been excited at Prato, in honour of the Girdle of the Holy Virgin.*

The fifty-fourth article gave rise to a discussion in regard to the books prohibited at Rome, among which were found, by mere accident, says the author whose account we are abridging, some of those which the Grand-duke proposed to form part of the curate's library. The opposition party rejected the whole, after having, however, declared, from sheer prudence, that it did not thereby pretend to condemn either the authors or their writings. The argument by which it attempted to justify its conduct in that respect was, that it was much better to give the priests those works only which were exempt from all suspicion, stain, or censure. The three prelates who were of a contrary opinion, accepted the article proposed by Leopold without the smallest hesitation or modification.

* Ibid. p. 235, et seq.

Among other books which were pointed out, were the writings of Quesnel, Le Tourneux, &c. to which Ricci added those of Nicole, " The Provincial Letters," Godeau, Duguet, &c.*

The fifty-sixth article was more favourably received. The bishops agreed generally in the necessity of curtailing the privileges of the regular orders, so as to reduce them to the situation of mere coadjutors of the curates, and to render the possession of their properties dependent on their making themselves useful in their parishes, instead of injuring the service of the churches, and attracting the people to themselves solely for their own advantage, as had hitherto been the case.†

The fiftieth article required the convents to be independent of their provincials and generals. That independence appeared to the greater part of the opposition to have been sufficiently secured by the laws which already existed in full operation in the Grand-duchy. The Bishops of Pistoia and Colle declared that they preferred, according to Leopold's proposal, that each convent should form a separate community, subject only to the control of the bishop of the diocese in which it was situated.‡

The Grand-duke added four new questions to his fifty-seven articles, which furnished matter for some interesting discussions. One of these related to the

* Ibid. Sess. 14, p. 252, et seq.

† Ibid. Sess. 15, p. 268, et seq. ‡ Ibid. p. 275, et seq.

baptisteries, which the opposition party would not consent to grant to all parishes, principally at the instigation of the two Archbishops of Florence and Pisa; another, to the abolition of the mendicity of the religious orders. The opponents of these measures did not deny the inconveniences resulting from the licence which these orders had to beg; but it exaggerated the impossibility, on the other hand, of providing in a proper manner for the support of the mendicant orders.*

The important subject of marriage presented one peculiar feature; namely, that the opposition party would not agree to the nullity, in a civil point of view, of mere promises, whether written or verbal, as the Bishops of Pistoia, Colle, Chiusi, and Soana, would have wished them. They agreed, however, with these enlightened prelates, in admitting that there was a distinct difference between the contract and the sacrament, and even allowed that the sovereign possessed all authority in regard to the former.†

The commission which had been appointed to draw up such a plan of ecclesiastical study as would render the doctrine of the Church both sound and uniform, at length delivered the fruits of its labours to the assembly. The disputes in regard to St. Augustin and St. Thomas, and in regard to systems of theology containing propositions injurious to

* Ibid. Sess. 16, p. 288, et seq. † Ibid. p. 298, et seq.

the rights of sovereign princes, were in consequence renewed.*

The opposition party displayed its ill-will on the subject of useless oaths, which it would not consent to abolish, notwithstanding the powerful reasons urged in behalf of such a measure.†

This obstinacy brought on a discussion in regard to the oath of vassalage to the Pope taken by the bishops, which the Abbé Tanzini denominates a feudal remnant of *Hildebrandine policy.*

The opposition party had neither the boldness to support, nor to forbid the taking of it in future; but it found the means of getting out of the dilemma, without compromising itself with the Court of Rome, by saying that it had nothing to suggest to the Grand-duke on that head. The Bishops of Pistoia, Colle, Chiusi, and Soana, implored the Prince to take the matter into serious consideration, and stated their conviction that a simple promise of canonical obedience was all that was required.‡

The space of time which intervened between the two sessions having been much longer than usual, the bishops and theologians had sufficient leisure for perusing the memorials already inserted in the acts, for supporting or combating the opinions which they respectively maintained; a circumstance which na-

* Ibid. Sess. 17, p. 313, et seq. † Ibid. p. 317, et seq.
‡ Ibid. p. 323—325.

turally gave rise to new replies and refutations, and greatly increased the number of the acts.*

The plan of a uniform course of study for the whole of Tuscany was considerably amended by the suggestions of the Bishops of Pistoia, Colle, and Chiusi: the opposition party would not, however, consent to the abolition of the scholastic method of instruction, which these prelates were anxious to extirpate as an invention of the dark ages, and to substitute for it the Scriptures, tradition, and the fathers. Neither would they depart from the necessity of employing the writings of St. Thomas for the interpretation of those of St. Augustin.†

Several memorials from the synod of Pistoia to the Grand-duke were transmitted by the latter for examination to the assembly. Notwithstanding the opinion of the Prince, which on the whole was favourable to them, the assembly received them very coldly. Among other matters, it refused a request in one of them to refer all the fêtes to the Sunday following the day of their occurrence, to abolish the necessity of abstaining from labour on these days, and on the evenings preceding fasts, along with that of attending mass not only on these days, but also on the festival days which had been abolished, but which were still attended with that obligation.

Another memorial contained the project of a general reform of the religious orders of every descrip-

* Ibid. Sess. 18, p. 326, et seq. † Ibid. p. 337, et seq.

tion, which Ricci was desirous of uniting under one single institute, namely, that of St. Benedict. In that case there would only have been one convent, always situated in the country, for each town, and containing, with the exception of one or two priests required for the administration of the sacraments, only lay monks. The opposition party would not, however, agree on any terms to the execution of that plan.*

The nineteenth and last session was held on the 5th June, 1787. †

The Grand-duke gave orders that the acts of the assembly should remain open during eight days, for the purpose of affording an opportunity of inserting replies to the articles already deposited, and especially to those which had been so latterly.‡ He gave audience to the assembly in a body, and testified to it his vexation at the malignant spirit with which it had misrepresented his intentions, and the selfishness which had induced it to reject his proposals; at the little harmony and concord which existed among the bishops, and at the spirit of prejudice and party which had actuated them, &c.||

The Prince afterwards felt himself obliged to prohibit in his states the "Journal of Rome," (*Diario,*) the "*Projet de Bourg-Fontaine,*" and other periodical and defamatory publications, which, "after being composed at Rome, were disseminated throughout the

* Ibid. p. 350, et seq. † Ibid. p. 355.
‡ Ibid. p. 357. || Ibid. p. 358.

whole of Tuscany, "for the purpose," as the compiler of the acts of the assembly states, "of exciting sedition, and increasing the superstition which gave birth to it."*

That writer terminates his volume with some very appropriate and just reflections on the progress of knowledge; a progress which had taken place much against the wish of the assembly itself, which, although determined to delay the intellectual revolution which was operating, as much as possible, could not prevent itself from coming up to that which had already taken place. In fact, although there was a predominant party inimical to reform, many resolutions were passed, which, a century before, would have been considered as so many heresies. Without paying the least attention to the Court of Rome, the studies of the regular clergy were distinctly pointed out and determined; itself subjected to the control of the ordinaries, and the principle of its yielding obedience and rendering itself useful in the spiritual duty of the parishes, was formally recognized. A uniform system of ecclesiastical instruction, for which St. Augustin was chosen as the model, was established; the reform of the missals and breviaries was resolved on; all taxes for administering spiritual aid were abolished, and the luxury, dissipation, and gross irregularities of the clergy, openly condemned.†

* Ibid. p. 359. † Ibid. p. 359, et seq.

§ II. The second volume of the Collection of the Acts, is entitled "Ecclesiastical points compiled and transmitted by his Royal Highness to all the Archbishops and Bishops of Tuscany, with the replies of these prelates:" Florence, 1787.* The frontispiece of the book is an engraving, representing the Grand-duke, supported by Renown, and surrounded by allegorical representations of Justice, Commerce, Plenty, and Time. Below is a genius holding in his hand an open book, on which is inscribed in large characters the word Encyclopedia. The engraving is stated to have been designed and executed at Rome.

The copy of the work to which we have had access is the one which belonged to the Bishop of Pistoia, and which still exists in the library of his heirs.

The fifty-seven points proposed by the Prince relate to the necessity of holding diocesan synods; to the right of the curates to sit and vote in them; to the indispensable necessity of reforming the missals and breviaries; to the abolition of useless oaths; to reclaiming the authority of the bishops which had been usurped by the Court of Rome, especially the power of granting dispensations, and more particularly dispensations in matters relating to marriage; to the uniformity of doctrine and study according to

* "Punti Ecclesiastici compilati e trasmessi da sua altessa reale a tutti gli archievescovi," &c.

the writings of St. Augustin; to the prohibition to ordain priests to sinecures, to permit their receiving the tonsure and being admitted to the rank of a clergyman before the age of eighteen, and to crowd the churches and altars with the children belonging to the choir, as had formerly been the case; to the absolute necessity of ordaining none but priests worthy of being intrusted with the ministry; to the abolition of begging for saying masses; to the impropriety of one individual holding and doing the duty of several benefices; to the necessity of attaching each incumbent to a particular church in the district of his benefice; to the suppression of private oratories; to prohibiting the priests from hunting, frequenting inns, coffee-houses, theatres, gaming-houses, &c. trading, employing themselves in commercial speculations, &c.; to a reduction of the extravagant luxury of the temples, and of the theatrical pomp of festivals and religious ceremonies; to prohibiting the celebration of more than one mass in the same church; to the examination of all relics, denominated sacred, and the elimination of those which were false; to the unveiling of covered images; to the instruction to be given to the people relative to the communion of saints, and to suffrage in behalf of the dead; to the duties of curates; to exhorting the people in the language of the country on the Gospel for each day, and the explanation

of the Latin mass which are created to the books to be chosen by the Government; to the curates to be selected of the regular monks and nuns of the cities and towns: and to the invalidity of necessary or other permissions, dispensations from Rome, unless accompanied by the *Exequatur* of Government.*

The first answer is from the Archbishop of Florence, Martini, the chief of the opposition in the national ecclesiastical assembly [illegible] principally combats the proposal for the missals and breviaries, the administration of sacraments in the common language, the validity of dispensations granted by the vicaries, all innovations tending to diminish the pomp and splendour of the external worship, or the number of priests.

The answer of Sciarelli, [illegible] of the three prelates who [illegible] follows next. He approves [illegible] the Grand-duke; advises [illegible] Ricci after his council [illegible] mode of the reform. [illegible] the oaths which [illegible] taken to the See of Rome [illegible] tion; considers the [illegible] ficient power, without [illegible]

* Inst. [illegible]

to govern their dioceses, to grant dispensations *(jure proprio)* in all lawful cases, &c.; shows a disposition to abolish all ceremonies, processions, fêtes, &c. and to eject all images which might have been adjudged dangerous or useless; adds several books to those which had been selected, to form the curates' library, and among others, the works of authors accused of Jansenism; and proposes the suppression of some of the very few convents existing in his diocese.*

Mancini, Bishop of Fiesole, and one of the most violent of the opposition party, follows next. Before giving his answers, he puts forth several general principles, in which he declares all reform dangerous and unlawful. It would be highly culpable, says he, to attempt to re-establish the ancient discipline of the Church, "by virtue of which, the dioceses had no distinct boundary, the priests were not obliged to lead a life of celibacy, and lived from day to day on the offerings of their flocks, and the communion was administered in both kinds."†

He is also of opinion, that it would be excessively ridiculous to deny the right of the Pope to the universal superintendence and control of the Church, since the Protestants themselves had confessed that he was the true basis of the stability of the Catholic religion. "The sole aim of those writers who attack the supremacy of the Pope," says he, "is to sever every political and religious tie, and to destroy,

* Ibid. p. 51, et seq. † Ibid. pp. 73, 74.

in the first place, the authority of the Popes by the agency of crowned heads, and in the next, to overturn the thrones of sovereigns themselves, by means of the united power of the people.*

In his answers, Mancini reduces almost to nothing the authority of the diocesan synod, deprives the curates of all right to vote, rejects the proposal for correcting the breviaries, and the use of the vulgar tongue in the liturgy; will not hear of the bishops reclaiming any of their rights which might have devolved to the See of Rome; defends all religious festivals, the pomp of the churches, and the splendour of the images; rejects from the list of books which had been proposed, all those which were suspected of a leaning to Jansenism, and substitutes for them others, which he reckons better; testifies great dread of intermeddling with the privileges and exemptions of the monks, &c.†

Bishop Ricci approves of every thing which had been proposed; quotes the synod of Jansenists at Utrecht in 1763, as a model for the Tuscan bishops in their diocesan synods, to which their curates ought to be admitted as judges; and advises the adoption of the greatest caution "against the intrigues of the Court of Rome, which will make use of the monks, or the Nuncio, to overturn the plans of those synods." He expresses his hope that the bishops will not so far forget either their duties, or their rights, as to

* Ibid. p. 80, et seq. † Ibid. p. 82, et seq.

request authority from the Holy See for granting dispensations, or to square their conduct, in condemning books, by the Index of prohibited books published at Rome—an Index whose authority is not recognized in Tuscany. Finally, he requests the immediate assistance of Government in extirpating all abuses and superstitious practices, proposes several books, the greater part of them prohibited, to be given to the curates, &c.*

The answers of Fazzi, Bishop of S. Miniato, may be easily guessed, from his belonging decidedly to the opposition.†

Those of Castagati, Bishop of Borgo S. Sepolchro, were of the same nature; only he was more moderate in his disposition than his colleague, and displayed more timidity than fanaticism.‡

Next come the answers of Franseschi, Archbishop of Pisa, the most fanatical and the most intractable of the whole body. He carefully keeps out of view, or openly condemns, all measures tending to diminish in any way the rights or pretensions, the privileges and prerogatives, of the Court of Rome, and its usurpations of the rights of the bishops; the encroachments of the latter on those of the curates; the blind respect of the people towards religious prejudices; the power and wealth of the clergy; the superstition of their flocks, &c.§

* Ibid. p. 133, et seq. † Ibid. p. 156, et seq.
‡ Ibid. p. 185, et seq. § Ibid. p. 236, et seq.

Borghesi, Archbishop of Siena, also shows himself a zealous opponent. Among other things, he utters some exclamations of regret at the boldness which could have prompted any one to insert in the list of books for the curates, the writings of Quesnel, and takes occasion to pronounce a pompous eulogy on the Bull *Unigenitus*, which had condemned him.*

Pannilini, Bishop of Chiusi and Pienza, joins frankly in the principles professed by the Government. He dissuades the Grand-duke from assembling his bishops, with whose opposition to his maxims, and attachment to prejudices of every description, he professes to be well acquainted; and gives as his opinion, that they ought not to be permitted to hold diocesan synods, except with the assistance of two deputies from the Government, and on condition that they should adopt for their model, a synod which had already been approved, such, for example, as that of Pistoia. He distinguishes clearly, in the affair of marriage, the nuptial contract from the nuptial benediction; "Jesus Christ," says he, "raised the former to the dignity of a sacrament, although in the quality of a civil contract it always remained under the control of the princes, and of the laws of the different countries professing the Catholic religion, and was only withdrawn from that control since the time when the Church thought itself obliged to add the nuptial benediction to the civil formalities

* Ibid. p. 280, et seq.

required by Government—*and which alone constitute the sacrament of marriage.*—" Nevertheless," adds he, " those who neglect to conform to the ecclesiastical discipline established on this point, are, notwithstanding their being married, guilty of a very blameable action."

The Bishop of Chiusi, in deciding on the different points submitted to him, always embraces the views of the Grand-duke, and sometimes even goes beyond them.*

The answers of Franci, Bishop of Grossetto, and one of the most unreasonable of the opposition party, are scarcely any thing else than an apology for all the abuses, all the superstitious practices, and all the usurpations of the Court of Rome, and of the bishops. That prelate forgets himself so far as to pretend that the suppression of the society for liberating souls from purgatory, and of the practice of begging for their support, had given rise to doubts in the minds of the faithful as to the very existence of purgatory itself.†

Vanucci, Bishop of Mossa and Populonia, agrees in sentiment with the opposition party.‡

Santo, Bishop of Soana, wholly devoted to the principles professed by the Augustinians or Jansenists, and by the canonists or politicians, approves and even extends Leopold's plans of reform, especi-

* Ibid. p. 310, et seq. † Ibid. p. 339, et seq.
‡ Ibid. p. 359, et seq.

ally those for erecting in Tuscany an independent national church. He insists with much earnestness on the necessity of reforming the "breviary, which is so full of fabulous and foolish stories;" and proposes the tenth synod of St. Charles Boromeus, and the synod of Jansenists at Utrecht in 1763, as the best models for the diocesan synods of Tuscany. "The privileges of the Court of Rome," he denominates, in one part, as "constantly pernicious," and in another, confesses that "the books proposed by the Grand-duke for the curates are undoubtedly possessed of merit, whatever the partisans of the Court of Rome may say to the contrary;" but requests some little indulgence for his own diocese, which fell in with the jurisdiction of the Pope, was consequently infested with great prejudice, and in which "a book prohibited by the Court of Rome was held in the utmost abomination."*

The Bishop of Arezzo, Marani, opposes the schemes of Leopold, but as it seems through prudence, policy, and timidity, as he gives us to understand in the general considerations with which he has prefaced his answers. Sudden and unexpected reforms would, in his opinion, disturb the consciences of the simple; and perhaps by that means the tranquillity of the state.†

Alexander Ciribi, Bishop of Cortona, and somewhat of a Jansenist, joins the opposition party, but

* Ibid. p. 389, et seq. † Ibid. p. 409, et seq.

with great moderation. He acknowledges the necessity of several reforms, and agrees to the execution of some of them.*

The most complete and decided opposition was expressed in the answers of Pecci, Bishop of Montaleino. His general objection to all the proposed reforms is, "that the doctrines which circulate under the garb of true piety are the most pernicious, because they tend to overthrow, by little and little, the Christian religion itself."†

Franzesi, Bishop of Montepulciano, was the most obstinate defender of the Court of Rome, and the most zealous enemy of all change or innovation in the shape of reform. Some idea may be formed of this from the following passages of a letter which he addressed to the Grand-duke, at the time of sending his answers to the fifty-seven ecclesiastical points.

In that letter he describes Leopold as being personally very religious, but surrounded with a set of bishops who had shamelessly introduced the most pernicious projects, and who scrupled not to make a tool of the Prince for inflicting on religion the most fatal blows, with the view of entirely overturning it. "They have almost succeeded in carrying their designs into effect in Tuscany," says he, "where they have introduced heresy and schism, which are slowly destroying some dioceses, and where they support

* Ibid. p. 456, et seq. † Ibid. p. 491, et seq.

that party which, by and by, will separate the Grand-duchy from the Church of Rome.

" They have already, my Lord," says he, " succeeded in making the Tuscan church take several steps towards complete independence.—Would to God that my fears were vain! But in the mean time we see monks and nuns reduced to a secular state by the sole authority of a bishop.—They are, however, in the eyes of the Almighty, and ought ever to be considered by the Church what they really are, apostates, perjurers to God, and rebels to the Church."

He next proceeds to make several violent attacks on the changes introduced into the calendars (*calendriers*) of different dioceses, on all licences, and especially on matrimonial dispensations granted by those only holding the rank and authority of bishop. " And what is the consequence of these things? Why, that in the dominions of your Royal Highness there are apostates and rebels to God, persons who keep concubines, and who live in that state of damnation, without the smallest remorse."

He next grows very warm in attacking what he calls the " schismatic Synod of Utrecht," which one party, says he, praised in the highest degree, and endeavoured to disseminate copies of its acts among the people. Speaking of the " Ecclesiastical Annals of Florence,"—" I protest," says he, " before God, that they are sufficient to inspire any true Catholic with

horror, and that they are a scandal to the whole Church."

He complains in the bitterest terms of the suppression of the convents. "It is disgusting, my Lord," adds he, "to hear the enemies of religion and of Jesus Christ exclaiming every where with all their might, that the monastic orders are useless."

He endeavours to prove that the Jansenism of Tuscany, which he terms the growing heresy, was making every imaginable effort, as, he pretends, the heresies which preceded it had done, to establish "natural religion, which, to say the truth," adds he, "is only a brutal deism. Now, my Lord, this is the end aimed at by all these new deists, who have, by deceiving them, contrived to glide in among the Catholics: their sole aim is, to degrade the church of Tuscany to a level with the deism of Holland, of England, and of a great part of Germany."

The Bishop of Montepulciano, in his answers to the fifty-seven points, instead of consenting to the correction of the breviary and Romish missals, which, in his opinion, have no occasion to be altered, implores the Grand-duke to give orders for re-establishing them in their ancient form in all the dioceses in which, to the great scandal of true believers, they had attempted to reform them. He represents the doctrine of St. Augustin as extremely dangerous, since "Luther, Calvin, and, in the course of the present century, Jansenius, with all his adherents,

have erroneously pretended that their false doctrines were founded on the writings of that father of the Church." These innovators, says he, easily convert his doctrines to the worst purposes, "especially those relating to grace and free-will, whenever they wish to deprive man of that same free-will, in order to set down every thing to the account of grace." He proscribes even the celebrated work of Muratori, "Devotion regulated," that writer having, in his opinion, shown himself, in that work, "equally deficient in talent and in genius."

It may easily be conceived, that, after condemning Muratori, he does not hesitate to threaten with damnation "all the rash projectors and enemies of the Catholic religion, who have had the effrontery to propose the reading of books prohibited by the Court of Rome. The "Moral Reflections of Quesnel,"— "in which," says he, "the Church by a decided and unalterable sentence, has borne testimony to an hundred and one heresies, errors, and dangerous opinions," &c.; the treatises of Tamburini, "a declared enemy of the Holy See;" the "Ecclesiastical History of Racine," "which fills the mind with false and mistaken prejudices against the See of Rome," &c. are in his eyes what he terms the most *venomous* books.

Next follow, towards the end of the volume, the replies of Vincenti, Bishop of Pescia, and Bonaccini, Bishop of Volterra, both of the opposition party, but

much more moderate, especially in the manner of expressing their opinions.*

§ III. Another volume contains the "Critical examination of the Letter published under the name of Monsignor Franzesi, Bishop of Montepulciano, in reply to several ecclesiastical points addressed by Government to the bishops of the Grand-duchy, for the purpose of procuring a statement of their opinions upon them:" Florence, 1787.†

This letter had been published a short time before the opening of the assembly. It coincides entirely with the principles professed by the bishop whose name it bears. We are bound, however, to believe that it was not written by him, as he signed a formal declaration to that effect, authenticated and confirmed by an oath on the 6th June, 1787.‡

The author of the critical examination openly espouses the maxims put forth by the Government. He appears to have been what was then accounted a canonist, or perhaps a Jansenist; he lauds to the highest degree the appeal writers (*écrivains appelans*), and censures, with considerable bitterness, "the error of those Popes who unjustly condemned the Jansenius', the Arnaulds, the Mercassells, the Quesnels, the Deacon Pâris," &c.

He shows that the obstinacy of his adversaries in rejecting the doctrine of St. Augustin, as the only

* Ibid. p. 532, et. seq.

† "Esame critico della lettera publicata," &c. ‡ Ibid. p. 46—7.

true doctrine, arose from a dread of being put to the blush, by being obliged to confess the orthodoxy of the Port-Royalists, of the true believers of the Church of Utrecht, who had been maltreated as fanatics and heretics.

"The heresies of Jansenius and Quesnel," says he, "only exist in the brains of fanatics. The famous work of Corneille Jansenius does not contain the five celebrated propositions; the work entitled 'Moral Reflections' is truly orthodox and Catholic in all its positions. Many of the propositions of Baïus, in the opinion of theologians of the greatest merit, were condemned rather on account of the crude manner in which they were expressed, and the sense in which they were interpreted in the schools, than on account of being really erroneous."* A little farther on, he calls Quesnel "a learned and pious man," and his Moral Reflections "a golden work."

§ IV. Four volumes are entitled "Acts of the assembly of the Archbishops and Bishops of Tuscany, held at Florence in 1787."†

The first contains the "Protocol of the resolutions adopted by these prelates in regard to the different articles proposed by his Royal Highness for their examination;" Florence, 1787.‡ It is in substance

* De Potter has a note of some length in regard to the five points of Jansenius, which contains nothing new on the subject, and may therefore be fairly left out.

† "Atti dell' assemblea degli Arcivescovi."

‡ "Tomo 1° che contiene il protocollo," &c.

the same as the history of the assembly by the Abbé Tanzini, which we have already abridged.

At the end of the nineteenth and last session there occurs a declaration by the Bishops of Chiusi, Pistoia, and Colle; from which it appears that their signature at the end of each session, only testifies their assent to the correctness of the *procès verbal*, and by no means an approval of what had been said and done contrary to their opinion, which in general was opposed to that held by the majority of the prelates.*

§ V. The second and third volumes, both bearing the same title, contains "The Addresses and Memorials presented by these same prelates, forming a supplement to the acts;" Florence, 1787.†

They contain the papers already alluded to, in regard to a plurality of votes and the necessity of unanimity; those on the right of priests to a consultative or deliberative voice in ecclesiastical assemblies; on the primitive rights of bishops; on oratories and domestic chapels; on the multiplicity of altars; on pronouncing the canon of the mass in a low tone of voice; on the veiling of images; on uniformity of doctrine, and on ecclesiastical studies according to the writings of St. Augustin, &c.

It is proper to remark that the synod of the Jansenists of Utrecht is quoted by the Archbishops of

* Ibid. p. 246. † "Tomo 2° (*or* Tomo 3°) che contiene," &c.

Florence and Pisa, and seven bishops of the opposition party, in a memoir in favour of the supreme authority of the Pope over the bishops, who are only, it says, the servants of the Holy See.

"It appears," says the memoir, "that we must henceforth regard the papal power as one which has been recognized at all times, in all places, and among all nations. I pretend not to aver that the members constituting the second provincial synod of Utrecht, submit to it in reality, but at all events they show a strong desire to do so in the doctrines which they profess;—doctrines which want nothing to be in perfect harmony with those which we profess, except to deduce from them the consequences which naturally flow from them."* The Bishops of Pistoia, Chiusi, and Colle, take advantage of this passage to make several severe remarks in their reply.

"The Bishop of Pistoia and Prato," say they, "has seen with the highest satisfaction that in the above memoir, the authority of the synod of Utrecht is brought forward to support the divine institution of the primacy. He glories in maintaining exactly the same opinions which are held by that illustrious church, which, although agitated for a long time, has not only maintained the Catholic faith entire, but has not even for a moment departed, in any one

* Ibid. Tomo 2, No. 53, p. 466.

point, from its attachment to the head of the Church. The undersigned bishop, who admires the conduct of these virtuous Catholics, and who constantly puts up his prayers to the Almighty for their peace and tranquillity, considers it his duty to adopt the same sentiments of respect which are professed by them to be due to the head of the Church, and the spirit of union, submission, and veneration, which every Catholic ought invariably to preserve towards the centre of unity, towards the first of pastors, towards the officiating head of the Church, and towards the sovereign pontiff." *

The Bishop of Montepulciano, in a memoir against the principal altar, (*l'autel unique,*) had remarked that the Grand-duke himself, who proposed the adoption of that measure, was then building churches with several altars. In their reply, the Bishops of Chiusi, Pistoia, and Colle, ask him, "What conclusion, then, would the theologian draw from this vague and bold assertion? That the sovereign has contradicted himself, or changed his mind on the subject? It would be sacrilege to dare to suspect it." †

This passage demonstrates the fatal consequences of an opposition imbued with the spirit of fanaticism. People who see its folly, are obliged, in order to make head against it, to embrace the absurdity of ultra-monarchy; and the people consequently become

* Ibid. No. 59, p. 483. † Ibid. Tom. 3, No. 80, p. 90.

the sport and the victim either of its priests or of its government.

In another memoir, Monsignor de Vecchi relates that, being Vicar-general at Siena, he had made a calculation of the masses celebrated in consequence of obligations arising from pious legacies; and that they amounted to ninety-nine thousand.*

§ VI. The fourth volume contains "An Examination of the Pastoral Address of the Bishop of Chiusi and Pienza, on several of the most important truths of religion." Florence, 1787.†

The greatest fault which the opposition party mention and condemn in the *Avis* which they presented to the Grand-duke, is that Bishop Pannilini denominated Jansenism "a fantastic and imaginary heresy;" that he proposed for the reading of his clergy, several books which had been prohibited at Rome; that he had advanced propositions which had been anathematized in the Bull *Unigenitus* which had been issued against Quesnel, and in those which had been directed against Baïus and Jansenius, &c. The whole party uses every effort to clear the Pope of the imputation of having insulted the whole episcopal body of Tuscany in his briefs; and the greater part endeavour to prove that he did not show more than a proper degree of severity against the Bishop of Chiusi.

* Ibid. No. 43, p. 177.

† Tomo 4° "L'Esame della istruzione pastorale," &c.

The Bishop of Soana approves of the pastoral address. Those of Pistoia and Colle express similar opinions in regard to it, and at the same time condemn both the Pope and his briefs, which they consider to be highly insulting and injurious to the whole of Tuscany, and particularly to the episcopal body and the sovereign.

These documents are followed by a long defence on the part of the Bishop of Chiusi, against the pontifical briefs, and in reply to the censures of the fourteen Tuscan bishops; also by a dissertation on these briefs, which, along with the ridiculous pretensions of the Court of Rome, are criticized and refuted with much force of argument, and exposed with considerable effect.

§ VII. Finally, there is a volume entitled "A defence against the censure of the fourteen bishops of Tuscany, of certain books published at Pistoia." Florence, 1787.*

The first article which occurs in the book is the letter of Archbishop Martini, who addresses the censure alluded to, to the Grand-duke; then the censure itself; and finally the apology or defence. The work which is most severely handled is that entitled "The collection of pamphlets relating to Religion."† The reason of its being condemned was, that it was entirely composed of the writings of

* "Apologia contro la censura fatta da' quattordici," &c.

† "Raccolta d' opuscoli interessanti alla religione."

Jansenists and Appellants; that it mentioned with some degree of approbation the *Nouvelles Ecclésiastiques*, and boasted of the miracles of the Abbé Pâris. Ricci praises all these works to the highest pitch; and, what is more astonishing, boasts of the wonderful power of the *cimitière* of St. Medard, and of the extraordinary conversions which had been effected by it—particularly that of the Chevalier Folard. He does not express the smallest doubt of the authenticity of the miracles said to have been performed by an appellant of the name of Rousse, or of those which Barckmans, the Jansenist Archbishop of Utrecht, who is still alive, had performed in favour of a certain lady named La Fosse, &c.

§ VIII. The opposition which Leopold had encountered from the majority of the higher order of the clergy, at the time of the ecclesiastical assembly of Florence, ought to be set down to the account of corruption and knavery, rather than to that of ignorance.

The Prince, on his accession to the throne, had adopted every possible means for diffusing information and knowledge among his subjects, and particularly among those who are intrusted with the guidance and instruction of others.

In 1770, he ordered to be begun the publication of a work entitled " A Collection of Writings relative to the dependence of Ecclesiastical jurisdiction

on Civil authority."* The work contained all the reports, memoirs, and consultations, composed in different Catholic countries by order of their governments, with the view of turning the lights of reason and philosophy to the maxims and conduct of the clergy, and of setting bounds to the insatiable cupidity and inextinguishable thirst after power, which the Court of Rome had always manifested, and which had proved an invincible obstacle to the political, moral, and religious improvement both of the people and of their sovereigns.

We shall quote from this collection what appears to us to be most in unison with the principles of Ricci, of the canonist bishops of his time, of Leopold himself, and of the enlightened men of his age, who were desirous of seeing, in the homage rendered to the Almighty, a guarantee for the practice of all the social virtues,—and in the ministers of religion itself, the comforters of man, the messengers of peace, the friends of good order and humanity.

§ IX. In the defence pronounced at Naples by the Counsellor Joseph Raffaele, on March 26th 1770, of Cecile Fargo, who had been accused of sorcery, we read as follows:—

"The Christians yielded the most complete obedience to the civil authority, whilst they were weak. As soon, however, as they felt themselves less depen-

* "Collezione di scritture di regia Giurisdizione." Firenze, 1770.

dent on its protection, that is to say, when they became more numerous, and more wealthy, they still professed, it is true, fidelity to the civil authority, and allowed that it had a right to exact it from them; but they used this profession of humility and obedience, merely for the purpose of increasing those immunities and privileges which inconsiderate princes were so imprudent as to offer to them, and which ended in releasing them from the performance of every duty towards society, or its members.

"When the world became Christian throughout, the people ceased to enjoy any prerogatives, or privileges, and became what the mass of the population of heathen countries had formerly been, and what the mass of the people in most countries still is—the useful and energetic, but despised and oppressed portion of society. The only chosen and privileged class, the only one that enjoyed the pleasures and comforts of life, was the clergy, which dictated its own privileges, but recognized the performance of no duties.

"The transference of the seat of empire to Constantinople was the origin of the power of the western clergy, and of the Bishop of Rome, the most powerful prelate in the Latin Church. The heresy of the Iconoclasts was adroitly employed by him to render himself entirely independent of the Greek government.

"The obligations contracted towards the See of

Rome by the Carlovingian race, which had been established, or rather legitimated in the possession of the throne of France by the Bishop of Rome, who had not as yet the hardihood to call himself its sovereign, along with the gratitude evinced by the same race in return for the empire of the West, which it soon after received at his hands, rendered the Popes formidable, first to the Lombards, who were masters of Italy, and next to the Emperors of the West themselves.

" Finally, Gregory the Twelfth mounted the Papal throne, and reduced into a regular system the whole of that hitherto unshapely mass of privileges and exemptions, which had been slowly constructed, partly on the ignorance and superstition of the people, and partly on the weakness and cowardice of the different governments. Instead of considering, or allowing others to consider, these prerogatives and privileges as derived from the good-will of those devout emperors who had been recognized as their sovereigns, the Popes boldly laid claim to them as original and incontestable rights; became *by divine right* what it was now impossible to prevent them from becoming; and even carried their unfounded and ridiculous pretensions so far as to grasp at absolute universal empire. The two Councils of Lateran sanctioned this gigantic system, by the adherence, believed to be infallible, of deputies from the whole Church, who, they said, had been assembled in the

name and by the authority of the Holy Spirit. From that period, whoever ventured to attack either the persons or the property of the clergy, was threatened with the spiritual thunder of the Church, and its awful consequences both in this world and in the next. The energies and the intelligence of mankind were thus completely paralysed, and society, in the very period of its infancy, fell into the weakness and decrepitude of age.

" The clergy, now constituting an immense army without either restraint or moderation, formed in every kingdom a kind of separate state, which did not recognize the control of the sovereign, and was consequently superior to him. At first, it only yielded obedience to its immediate chiefs, the bishops and archbishops; but by their means connected itself in a very short time with the supreme head of all, the Bishop of Rome; and a theocracy, in consequence, gave law to the whole Christian world."

§ X. The twenty-fourth number, in which Doctor Bianchi demonstrates that the clergy are subject to the civil power, and that they ought to bear a part in contributing to the expenses of the Government,* goes to prove, that the privileges granted to the clergy through the devotion or weakness of sovereigns, were in a short time converted into canons, that is to say, into rules, which contained what it denominated its rights. By degrees, new canons

* Ibid. tome 9. " Gli ecclesiastici soggetti," &c.

were enacted for the extension of the old, and new rights created by the priests themselves, in aid of those which they owed to the indulgence or concessions of Government. In this manner was the enormous edifice of sacerdotal power constructed; a power supported by civil and religious laws, composed of the real and personal immunities of the clergy, and declared by it to be sacred and inviolable. To attempt the least encroachment upon it was high treason—a crime at all times dreadful, but more especially so, when the clergy are invested with the supreme authority, and are considered by the ignorant and superstitious multitude as the avengers of that God whose will they profess to declare.

§ XI. It was, however, more especially the Bull *In cœna Domini*, as containing a sketch of all the pretended rights of the Pope, which irritated the Catholic governments of this period; particularly after the scandalous affair of the Duke of Parma, in which the Pope had had the impudence to bring forward that Bull in support of his insolent proceedings. The Senate of Venice had a report of the whole drawn up for its information, on March 6th, 1769.*

In that document it is proved to demonstration, by a minute and careful examination of each article

* Ibid. tome 13, No. 36. "Riflessioni della deputazione estraordinaria *ad pias causas* sopra la Bulla *In cœna*, &c. presentati all' eccellentissimo Senato," &c.

of the anti-social Bull *In cœna Domini*, that in many of its points it is destructive of all civil authority, and that it wounds it deeply in the others; that if it were scrupulously observed by the clergy and their flocks, all government would be at an end, and the Pope would be sole master both of the actions and consciences, the persons and the property of every Catholic people, who in consequence would be alike destitute of princes and magistrates, of councils and bishops.

The Republic of Venice never consented to receive the Bull *In cœna*, and proscribed it frequently, notwithstanding the remonstrances of the pontifical Nuncios; rejecting on all occasions the interference of the confessors employed by the See of Rome to relieve its subjects from the censures incurred by contravening the provisions of the Bull, and preventing them from executing their functions. The author of the report proves it by quotations from the records of the Venetian Government in the second volume, on its differences with the Court of Rome.*

The See of Rome, which never blushed to employ any means which had been useful to it in former times, and might still be so in future—Rome, to this very day, delegates authority for granting absolution in those cases which it has reserved in the Bull *In cœna Domini*; and what is more, there are priests, subjects of anti-Catholic governments, who are not

* Page 67, et seq.

only furnished with that authority, but who also exercise it without hesitation.

§ XII. The Republic of Venice ordered an account to be drawn up, by an ecclesiastical commission of its own appointment, of the amount of money which was annually extracted from its subjects by the pernicious organization of the clergy. As the Court of Rome still continues to levy, at least in part, the same contribution as it formerly did on the inhabitants of Catholic countries, we shall subjoin an extract from the report alluded to.*

The annual revenue of the ecclesiastical benefices held by the subjects of the republic, and not situated within its territories, amounts to about 260,000 francs.

The ecclesiastical pensions payable to foreigners, to between 72,000 and 78,000 francs.

Twenty-eight bulls, for canonical induction to patriarchal, episcopal, and archiepiscopal sees, obtained in the course of ten years, had cost nearly 5,000,000 francs; without reckoning in that enormous sum, the very great expense incurred by those who had been nominated, in making a journey to Rome for the purpose of being consecrated.

During the same ten years 50,000 francs had been paid for forty-two Bulls for abbeys, priories, and provostships.

* Ibid. tome 17, No. 49. "Scrittura della deputazione," &c.

One hundred and ten Bulls for pensions which had been granted, amounted to 78,800 francs.

Two hundred and twenty-five bulls for parish churches had been worth to the Pope 130,000 francs, without reckoning what the curates must have paid privately to the cardinals, if they had been maintained during the months reserved for these princes of the Church.

Twenty-seven Bulls for canonships, collegiate churches, &c. cost more than 80,000 francs.

Forty-five Bulls for collations to one hundred and fifty simple benefices amounted to 12,600 francs.

During the year 1768 there arrived from Rome 1130 rescripts, indulgences, privileges to altars, dispensations relative to the granting of holy orders, permissions to maintain private chapels, diplomas conferring the title of count, &c.; the whole for the sum of 44,500 francs.

Rome granted, during the same year, 589 dispensations for marriages, which brought an enormous and unknown sum into its treasury. All that it was possible to discover as to its amount, was, that those dispensations which were requested and obtained without any good reason being alleged, cost ten times, and even twenty times more than those for which any real cause was assigned. The report reckons all these dispensations, on an average of the highest and lowest rates, at a sum of 1,050,000 francs.

The report goes on to state, that the conduct of the Court of Rome, in this respect, is contrary to the recommendations of the Council of Trent, which in the fifth chapter of its twenty-fourth Session on reform, gives its advice to grant dispensations of marriage as seldom as possible, and orders them to be issued, in all cases, free of expense. The same Council forbids granting them in the second degree, unless for reasons of a grave and public nature, and in favour of princes and kings only, whose marriage may affect the interests either of religion or of the state. The Court of Rome, without paying the slightest regard to this prohibition, had granted, in the course of a single year, twenty-four of these dispensations to mere citizens of the republic, whose only claims to the indulgence of the Holy See were the large sums of money which they were both able and willing to place at its disposal.

§ XIII.* "At first," says another memoir addressed to the Venetian Senate, "the Popes graciously entreated their colleagues the bishops to confer some ecclesiastical benefice on the poor priests whom they recommended to their protection; but in a short time these entreaties were changed into exhortations, the exhortations into admonitions, the admonitions into orders, threats, excommunications, pecuniary fines, and finally, into an absolute despo-

* Ibid. No. 50, "Scrittura," &c.

tism, which overthrew the whole system on which benefices had originally been granted. By these means not only were mandates, expectations, anticipations, and all the other stratagems devised by the Court of Rome for its own advantage and the ruin of others, introduced, but a large field was opened for keeping alive every abuse by which the Church of Christ was disfigured, and the patrimony of the poor exhausted, and which have given rise to so many grounds of difference in the last general councils. The regulations of the Roman chancery (*cancellaria*), the plurality of benefices, translations from one living to another, resignations in favour of particular individuals, assistantships with a clause for future succession, commendams, resignations in court (*in curia*), first fruits, dispensations from possessing the qualifications required by the canons, and a great number of other irregularities and abuses deplored by the pious, and condemned by the decrees of the Church, are still in existence, and still practised in the same way as they formerly were.

"So far all this only relates to the interests of religion. But is the civil authority less injured by this overthrow of principle and good order? Ought it to sit in patience and allow a foreign prince to distribute its revenues and its wealth, to levy contributions, and to attach to him by an oath of fidelity those with whose government it is intrusted, without his having any title to allege in favour of such

authority, or being able to exhibit the least claim for such sovereign dominion ?"

§ XIV. The abuses caused by the excessive number of masses were attacked in a vigorous and unanswerable manner.

Perpetual foundations for saying masses, and legacies destined for their support, were unknown, it is said in a memoir on that subject, in any part of the Church during several centuries, and still are so in the East, where the maxims and customs prevalent in the primitive ages of the Church have been more strictly maintained. Devout persons have, indeed, occasionally bequeathed gifts to the Church for the remission of their sins, but without imposing any particular condition or obligation.

The parish mass was for a long period the only one which was celebrated, and Christians were bound by the canons of the Church to assist at it. Until the sixth century, bread and wine, intended to relieve the most urgent wants of the Church and of the poor, were the only offerings presented to the priest who celebrated mass. In the ninth century private masses began, and they came into great vogue, principally by means of the monks. The secular clergy showed themselves eager to take advantage of them, and great murmuring and dissatisfaction were occasioned by such an unheard-of innovation on the established practice of the Church. These murmurs redoubled, when the private masses

became *solitary*, that is, when they were celebrated by a single priest, without the presence or assistance of any one.

The great increase in the numbers of the clergy gave rise to such an increase in the number of masses, that it at last became necessary to say several at the same time in the same church. The parish masses were in consequence given up, and the people were obliged to accustom themselves to join bodily and mentally in the masses which were said by the priests for a particular purpose, either expressed or understood.

Hence arose the practice of asking charity in behalf of masses, and next that of paying a salary to the celebrator, or the price of the sacrifice, as they impudently termed it. Popes Eugenius the Second, and Leo the Fourth, made the most vigorous exertions to prevent this strange abuse, which did not come into general practice till after the twelfth century.*

" To complete our shame and extreme wretchedness, the sacrifice of the mass has been profaned to such a degree both by the regular and secular clergy, that they have had the impudence to establish fixed rates for saying masses, like so many mechanics and mercenaries; rates which vary according to the fatigue and quantity of time required for celebrating them. The practice, in fact, came so much into vogue

* Ibid. p. 4, et seq.

that nothing was so common as to augment the price; for example, for masses which were chanted, and for those celebrated at such and such a privileged altar. The priest turned every circumstance to account — the devotion of the people towards a particular saint, a relic, an image reported to be miraculous," &c.*

This devotion, powerfully stimulated by the innumerable contrivances which the avarice of the monks suggested, caused a great influx of masses into their convents. They had, in fact, consigned to them, in the course of a very short time, more than they could well celebrate; but being reluctant either to put a check upon the credulity of the public, or to restore what had only been given them upon conditions with which they were unable to comply, they addressed themselves to the Court of Rome, which agreed to divide with them what they had no title to, and allowed them to retain the remainder with a clear conscience. "The monks were thus released from all obligation to repair the evils, of whatever magnitude (*di qualunque somma e grandezza*), which they had originated, by celebrating one or more masses, which the common people ironically termed the great mass, (*messone*) or by paying a money tax for the support of St. Peter's at Rome, which the agents of that court denominated the Composition tax."†

* Ibid. p. 10. † Ibid. p. 15.

The people requested to be informed if a single mass was equivalent to many? and in case of its being so, why the priests burthened themselves with so many at the same time, and collected the price of celebrating them? If on the other hand one is not as good as several, they requested to know why these priests did not restore the money which they had received on promises which they either would not or could not keep?*

After this question, to which it would be very difficult to reply in a satisfactory manner, the memorialist enters into various details (which we must omit) in regard to the different indulgences granted by the See of Rome at different periods, to the religious orders which had been charged with the celebration of more masses than they could perform, and from which they desired to be released. In the seventeenth century these indulgences came into fashion; in the eighteenth they were multiplied beyond all precedent, by the prodigality of Benedict the Fourteenth, so famous for the number of his decrees.

We shall content ourselves with stating that in the case of the church of the Dominicans of the order of St. John and St. Paul at Venice, there were found in arrear in 1743, 16,400 masses; and the following year, in the case of the church of our Lady dell-Orto, the duty of which was performed by Cistercian monks, no fewer than 14,300.†

* Ibid. p. 17. † Ibid. p. 36.

§ XV. In a memorial presented to the Junto of the Ten Sages, commissioned *ad pias causas*, on the 12th June, 1767, we read that until the time of Gregory the Seventh, the very few oaths which had been taken to the Bishop of Rome by the other Catholic bishops, were only simple promises of canonical deference, which had in a manner been rendered necessary by the peculiar difficulties of the times. The monk Hildebrand exacted with rigour as duties of fidelity, what his predecessors had but very rarely solicited as pledges of union. He changed the formula of the oath, and exacted that homage from his colleagues, whom he was desirous of reducing to the situation of vassals, which the bishops of our days pay to the Holy See, whose subjects they become at the very moment when the authority which they acquire over their fellow citizens ought to leave them free from all obligations except those due to their country.*

The next paper, (No. 83,) proves by the most natural interpretation of each article in the oath taken by the bishops to the See of Rome, that it is nothing else but an express and solemn promise on oath to betray their respective sovereigns, and that each clause of the oath imposes an obligation to commit high treason.†

* Tom. 4, No. 82. "Scrittura di Pietro Franseschi," &c.

† Ibid. No. 83, pp. 77, et seq. "Scrittura intorno al Giuramento."

§ XVI. The canon law is next attacked, and that too by a monk of the name of Francis-Wenceslaus Barkovich.* "The letters which we have quoted, (the decretals of Mercator,) are full of maxims unknown before that time in the church of Christ: dictated by the grossest ignorance, they abound in the most glaring anachronisms; are wholly unworthy of the majestic simplicity of the first ages of Christianity, and entirely contrary to its ancient practice. The discovery of the imposture came too late. The Court of Rome, taking advantage of the ignorance which everywhere prevailed, laid hold of it at once, first for establishing, and afterwards for consolidating and extending beyond all precedent, the authority which she arrogated to herself.

"The principal doctrines inculcated in that fraudulent collection are, that the Pope is bishop of all Christendom; that all causes of importance ought to be brought by appeal before the See of Rome; that causes relating to bishops belong exclusively to the Pope; that he ought to convoke and preside in all general councils; that no council, whether general or particular, is binding unless approved of by the Pope; that he has authority to allow bishops to give up the churches to which they have been appointed, for the purpose of being translated to a richer and more illustrious See; that apostolic ap-

* Ibid. No. 85. "Scrittura del P. Francesco Wenceslao Barkovich," &c.

peals to the See of Rome were usual before the Council of Sardica; that metropolitans were never allowed to enter upon the exercise of their functions before obtaining the *pallium* at the hands of the Pope; that from the very origin of Christianity, it was an established and undisputed maxim that every church which departed from the usages and ceremonies adopted by the Church of Rome, ought to be considered as heretical, &c.

" Notwithstanding the measures adopted in latter times for checking the excessive power of the Popes, that power is still sufficiently enormous to encourage the hope of re-establishing and enlarging it. Sovereign princes will have always grounds for fear whilst the bishops are treated as subjects by the Court of Rome, and the monks are exempted from the general jurisdiction of the bishops; whilst money shall continue to flow in abundance towards Rome, and while the favours which these princes allow her to distribute with such profusion, shall have the power of procuring for her partisans and abettors.*

§ XVII. Before terminating this note, we shall give an important and excellent memoir drawn up by the commission which the Republic of Venice had intrusted with the reform of the public institutions for education.

The redactor of the memoir proves that the Government had done but little towards the emancipa-

* Ibid. p. 195.

tion of the civil authority by proscribing the Bull *In Cœna Domini*. "The reform which is most required," says he, "is that of the studies of ecclesiastics, in order to prevent anti-social principles from becoming the religion of those who are destined by their profession to instruct and direct the people. For this purpose it is necessary, if not to abolish, which would perhaps give rise to a dangerous clamour, at least to remove carefully out of the way the canon law and the decretals, which are the real sources of that monstrous system—the Bull *In Cœna Domini* being only a natural and necessary consequence of it.

"In these decretals a doctrine is taught which is not only new, and totally unknown either to the Gospel, the Fathers, or the Church, but which is contrary to every law both human and divine. By these decretals a monarch is set up who recognizes no other limits to his dominion than those of the universe; whose laws and commands the kings and princes of the earth are bound to obey; and if any of them shall dare to maintain his right to that sovereignty which he received from Heaven itself, he is declared guilty of treason and rebellion; his subjects are released from their oath of fidelity, and his territories exposed and abandoned to the invasion of foreigners.

"This despot is also declared to be the legislator of the universe; to be possessed of authority to

alter, reform, or abolish, the laws of all kingdoms and of all states; to be a judge, to the decisions of whose tribunal all the sovereigns of the earth must submit; whose decrees are infallible, and admit of no appeal, because those which he pronounces are held to be the decrees of God himself; and those who appeal from them to the general councils of the Church are declared to be rebellious and refractory, and are deprived of all communion with the pious.

"This code has, in fact, no other end in view than that of establishing despotism and universal monarchy throughout the whole earth. All sovereigns are bound to yield homage and obedience to that formidable monarch; and if the least opposition is exhibited, rebellions, wars, and insurrections, are the consequence; while the sovereigns, who, in defence of their just rights, have had the misfortune to offend this priest-king, are deprived at once of their kingdoms and their lives,—(a melancholy prediction of the misfortunes and premature death of Joseph the Second and Leopold.)

"A bold and enterprising militia, animated by principles of fanaticism, cupidity, and ambition, bound by vows and solemn oaths, and always ready, on the slightest signal from that monarch to whom by the rules of its institution it is called upon to yield the most blind and slavish obedience, to excite the storm of rebellion and insurrection,—that militia, I say, which is spread over every state in Christendom, ought to be considered as fraught with danger and

alarm; because by taking advantage of the superstition and ignorance of the people, whose good opinion it has acquired by a false character for piety and knowledge, it is sufficiently powerful to give just cause of dread, mistrust, and jealousy, to every Government in whose states it may happen to be placed.

" The regulars of a certain order, a veteran and zealous troop, have obtained from this grateful monarch the most signal rewards and privileges: in granting which, the people have not only been deeply injured, but those rights which are more especially inherent in sovereigns, and of which they are most jealous, have been sacrificed, because they (the Jesuits) have shown themselves more anxious and careful than any other to extend the limits of the new empire, and in every state in which they have obtained a footing, have not scrupled to excite discord and sedition for the purpose of maintaining and defending it. Even in our day, though nearly overcome by the repeated attacks which have been made upon them, they are both terrible and formidable to the most powerful monarchs of Christendom, who do not believe that they can be secure from those just fears, suspicions, and jealousies, with which they have hitherto been harassed, until the order be completely abolished.

" The code of decretals was received by St. Raymond de Pennafort, without examination, judgment,

or inquiry, in ages which were darkened by superstition and ignorance; and was compiled, according to the prejudices of these unhappy times, with no other view than that of investing the spiritual power with an absolute, despotic, and arbitrary authority. All the decretals attributed to the three first centuries of the Church are clearly false; while many of those said to belong to succeeding ages have evidently been falsified to suit and accommodate the new system of Government."

These decretals have regularly been invoked whenever it became necessary to employ a pretended defence of the rights of God as a pretext for invading those belonging to Cæsar. These latter rights were, however, recognized by our Saviour himself in the presence of Pilate; were supported by the Apostles in their preachings; respected by the early saints; and their lawfulness inculcated by the fathers of the Church. They were exercised by the Emperors until the eleventh century; and if they were at length overthrown by the wars between the priesthood and the empire, and weakened by the factions of the Guelfs and Ghibelins, who stained with blood both the Church and the State, the priesthood alone is accountable for it to religion and humanity.

" To these decretals, and to the unfounded principles of divine right, are to be attributed the abuse which was made of the power of the keys, as well as

the doctrine of direct and indirect dominion, which was hatched to establish a despotism infinitely more absolute and horrible than was ever witnessed in any eastern monarchy, and to despoil princes of that sovereign authority which they received from Heaven for the government of mankind. To the same source are to be traced those interdicts which were employed to excite, to aid, and to justify the people in rebelling against, murdering, deposing, and banishing, their sovereigns:—that universal government of the Church which deprived the bishops of that authority which was conferred upon them by Jesus Christ, the only supreme head and shepherd of the Church; those personal and real immunities so hurtful and injurious to the lawful jurisdiction of princes and magistrates; as well as all those other monstrous doctrines which have destroyed every idea and principle of human and divine right.

"Gregory the Seventh was the author of this new doctrine, and of the differences which took place between the priesthood and the empire. Supported by the forces and the fanaticism of the Countess Matilda, he carried on for several years, to the great scandal and mortification of the pious, an unjust and cruel war with the Emperor Henry the Fourth, merely because he would not relinquish those rights which he had received from God. For these reasons, which ought to have rendered his memory odious both to the Church and to the State, Gre-

gory was placed on the list of martyrs, as is attested by the lessons in his Office, which were published in 1728, and very justly condemned in all Catholic states."

That Pope is praised in the office alluded to, as the one who, since the time of the Apostles, has done most service to the Church, which he governed, not according to human wisdom, but in accordance with the dictates of the Holy Spirit. The author of the memorial remarks, that the doctrine which he inculcated was not that spirit of peace, of charity, of concord, of obedience and submission to the established authorities, which the Gospel recommends to the practice of its disciples.

" The name of Anselm, Archbishop of Canterbury, was also inserted in the catalogue of saints, because he taught that the Pope had absolute authority over the bishops, and that the bishops were completely independent of the civil power, to which he would not allow them to take the usual oath of fidelity.

" In our days a learned and pious Cardinal found it necessary to throw all his influence and energy into the scale, in order to prevent Cardinal Bellarmin, the most ferocious abettor and defender of that anti-christian doctrine, from being raised to the rank of a saint. The only title which that haughty prelate could possibly have to such distinction, was that of having extended the despotism of the spiritual power farther than had been imagined before his time,

either by human pride, by fanaticism, or by the adulatory spirit of his brethren, the Jesuits."

The memorial next presents us with a just and energetic description of the evils which were accumulated by the spiritual power, on the heads of those princes who were bold enough to attack these absurd pretensions; and also with a striking picture of the extravagant proceedings of the successors of Gregory the Seventh.

"The devout Louis the Ninth, of France, was threatened by the Pope with all the terrors of an interdict, because, in an assembly of the principal lords of his kingdom, he had given orders that none of his vassals should be responsible to the ecclesiastical tribunals in matters purely civil, and that the clergy should appear before the secular judges in all causes relating to their fiefs. A few years afterwards, the Pope's legate sanctioned in a council, held in France itself, the usurpations of the clergy, notwithstanding their being so hurtful and injurious to the authority of the sovereign. The kings and princes of the earth had indeed good reason to dread even the sight of these domineering ministers of the spiritual power; for by their mandate, councils were annually assembled, without the knowledge or consent of the sovereign, in the very heart of his dominions, which, under the specious names of the liberties and immunities of the Church, confirmed more and more the despotism and independence of the

clergy. In these councils, war, peace, alliances, trade, policy, laws, modes of government, judicial systems, the rights of monarchs—in short, every thing was discussed and regulated according to the views and interests of these formidable monarchs. Supported by that bold and enterprising militia which every where fomented war, discord, sedition, rebellion, ignorance, superstition, and fanaticism among the people, they were sure of their laws and commands being received and respected by every sovereign of Christendom.

" Rome, during those ages of darkness and superstition, saw all the sovereigns of Christian states within her walls: some of them imploring pardon for having undertaken a just war in defence of their most sacred rights; others declaring themselves the vassals and tributaries of the Church; many receiving a precarious investiture of those states which they had obtained either by conquest, by consent of the people, or by inheritance through a long succession of ancestors; and all of them obliged to submit, in full view of the people, to the vilest and most humiliating acts of degradation."

The priests, though called upon by their profession to be the messengers of indulgence and universal charity, were at that time only the instruments of the Popes for excommunicating their enemies and opponents.

" In these latter times, during which ignorance

and superstition began to be diminished, interdicts have become less frequent, notwithstanding the attention of the Popes to preserve and confirm in their Bulls that sanguinary and antichristian doctrine to which they are indebted for their exorbitant power. The Bulls of Alexander the Third, of Boniface the Eighth, and Innocent the Third, cannot be perused without feeling the utmost horror and indignation. Paul the Fourth, that ferocious and violent Pope, who with so much audacity and insolence cited before his terrible tribunal at Rome, the two Emperors Charles the Fifth and Ferdinand the Third his brother, because the one of them had resigned, and the other accepted the imperial authority without his consent,—this Pope, in a Bull signed by all his cardinals, decreed, that in future, every count, baron, marquis, duke, king, or emperor, who had fallen into or should be convicted of, heresy and schism, should be totally deprived of their dominions; that they should be incapable of possessing any in future; and that they could never be restored to their former condition. Every action, however innocent, which did not favour his system of despotism and universal monarchy, was declared by that Pope to be heresy. His pride made him reject the obedience which Elizabeth of England proffered to him, and his threats confirmed that kingdom in its separation from the Church of Rome.

"The interdict lately fulminated against the Duke

of Parma, ought to awaken the dread and jealousy, formerly entertained by every sovereign prince, of the Court of Rome. Such a recent example of the exercise of the authority which she arrogates to herself, over a member of a family which holds the first place in Europe in point of authority, grandeur, and power, and that, too, in times so critical and difficult for herself, ought to inspire every sovereign with a just dread, lest, taking advantage of those opportunities with which more favourable circumstances may supply her, she again attempt to put her despotic power in force against them.

"Such is the doctrine contained and taught in decretals—a doctrine both sanguinary and seditious—a doctrine which establishes the despotism of the spiritual power, and the slavery of every sovereign—a doctrine which foments the ambitious and independent spirit of the clergy, and excites rebellion among the people; a doctrine which has caused and will continue to cause constant dread, suspicion, jealousy, and distrust in the bosom of every sovereign. It is one which strikes at the root of every natural and divine right; a doctrine which overturns the most solid foundations of human society, and which, in bringing back the times of ignorance and superstition, will renew those scenes of discord which took place between the priesthood and the empire. It is, moreover, a doctrine which must have hindered, and will continue to impede, the propagation of the Gos-

pel among those heathen and idolatrous nations when they become aware that there is in Christianity a power which can excite, at pleasure, sedition, war, and rebellion among the people, and despoil legitimate sovereigns of their lives and kingdom; a doctrine which foments and nourishes fanaticism and superstition; a doctrine which has extended the empire of the spiritual power even beyond the limits of the known world.

"The line of demarcation pointed out by Pope Alexander the Sixth, who disgraced the Church by so many horrible crimes and such abandoned wickedness, is well known. In order to prevent war and discord between the Spaniards and Portuguese, he fixed the limits within which they might carry on their conquests in regions altogether unknown, over which *he* could have no other rights than those of fanaticism and universal monarchy, and the new conquerors none but those acquired by force, by violence, and usurpation.—This doctrine (that of the decretals) has more than once obliged Christian princes to violate treaties which they had entered into with infidels, and confirmed with oaths—the strongest bands of human society; it has enslaved the Church which was free in times of the fiercest persecution; and despoiled the bishops, the true successors of the Apostles, of that authority which they had received from Jesus Christ. It is a doctrine which was totally unknown in those ages of the

Church most celebrated for their piety; and to sum up all in one word, it is a doctrine completely at variance with the spirit, and with the precepts of the Gospel."

In continuation of what he had said in regard to the false titles by which the sacerdotal power is maintained, the author of the memoir expresses himself in the following terms: which we copy so much the more willingly, as even in our days these same titles exist, because the ecclesiastical authority shows a strong desire to turn them to account, and because imprudent Governments are labouring to procure it the means.

"It was during this unfortunate age, (the eleventh century,) that those false decretals were published, in which, besides the independence of the clergy, it was distinctly inculcated that the orders of the Holy See were to be obeyed every where, and by every class of persons, without delay or contradiction, and that no civil law had any force or authority against its canons and decrees; that the tribunal of the Church is superior to that of the sovereign; and that the laws of the State ought only to be obeyed when they are not contrary to those of the Church. About this period also were falsified those ancient laws and canons which militated against this monstrous system. The clergy supported by these false documents, not content with the independence which they had acquired by open rebellion, and rendered audacious

by the ignorance and attachment of the people, usurped a great part of the authority which belonged to the magistrates. After this usurpation, the authority of sovereigns was overthrown and demolished by means of false documents, which taught the superiority of the spiritual over the temporal power; that princes were inferior to bishops, and that they ought not to undertake or regulate any thing except according to their advice.

"Such was the monstrous system, so totally contrary to the doctrines of the Gospel, and before that time unknown in any age or nation, by means of which Gregory the Seventh pretended that the temporal power was subordinate to the spiritual; that the Church alone had the power of conferring crowns and judging sovereigns; that all Christian princes were vassals of the Church of Rome, and ought to take an oath of fidelity to her, as well as pay her an annual tribute."

CHAPTER IX.

Supplementary observations on Leopold's Character, and on the Transactions of his Reign.

THE reader will not, perhaps, be displeased to have, in addition to the preceding notices, which have been collected with the view of furnishing materials for the history of Leopold's reign, the reflections made by some Tuscan writers in regard to that truly great Prince, at a period when, equally free from the control of a jealous superstition and suspicious despotism, they could form and pronounce a judgment respecting him, neither dictated by servility nor modified by the influence of fear. The time to which we allude is the brief period of their democracy in 1799, and of that of the French Government, which preceded the reign of bigotry and extravagance under Louis of Parma, and Maria Louisa of Spain. It was then an honour to a sovereign to receive and to deserve the praise of a free people.

These reflections will serve as a kind of commentary on the constitution which Leopold planned, and will throw more light upon it than any thing which we can ourselves advance. They are extracted from writings published at the time, which in general were wholly unknown in France, (with the exception of the first, which was printed in Paris,) and which will soon be destroyed and forgotten even in Tuscany. We look upon them as materials which must be highly useful in composing the history of the benefactor of that happy province of Italy· a history which, if it be properly executed, ought to contribute much to produce what is at least the most beautiful, if it is not also the most difficult miracle—a good king.

§ I. The first pages, which we shall extract *verbatim*, are taken from a pamphlet entitled "On Tuscany, an article extracted from the correspondence of Citizen P. D. L. with his friend * * *, a representative of the people, dated from B******, this first day of April, and seventh year of the French Republic, One and Indivisible. Printed by H. I. Jansen, Rue des Pères, No. 1159."

In section second, at pages 9 and 10, we have the following statistical account of Tuscany.

"Tuscany occupies an extent of surface of nearly eleven thousand square miles, reckoning sixty-seven and three quarters to a degree; but that territory is far from being either productive or very thickly peopled. A great part of the mountains is covered

with rocks which prevent them from being brought into a state of cultivation; whilst the least elevated lands are covered with sterile heaths or insalubrious marshes. Its population, which amounts to one million two hundred thousand souls, although very far from being great, considering the immense extent of surface over which it is spread, is nevertheless very considerable, when we take into account the very circumscribed space occupied by soils capable of cultivation, and the complete desert formed by the Alps and marshes. The cultivated lands are divided into eighty-two thousand farms, surrounded by hedges or ditches, on each of which is settled a family of peasants. These families consist of from five to fifteen individuals, exclusively occupied with the cultivation of the soil, and the rearing of cattle. The persevering industry of that laborious and temperate class seldom succeeds in procuring more than six returns of grain, in those situations where the soil can be best manured; and this product is less, in proportion as the lands happen to be farther removed from the towns and large villages. On account of this sterility of the soil, there are in Tuscany a considerable number of communes which have been declared free from contributions, and which, in fact, pay no sort of tax; such as the villages and hamlets of Lunigiana, the districts of Pietrasanta, of Berga, and of the little town of Porto Ferraio, in the island of Elba, which

only possesses a small, insalubrious, and rocky territory.

" The port of Leghorn, open to all nations, and entirely free from every species of restriction, gives a sort of commercial importance to Tuscany, and procures respect for her agents in maritime countries. This little port, so happily situated, necessarily remains neuter, whatever European states may be at war; and the reasons for this neutrality are analogous to those which will always render the Tuscan Government neuter under similar circumstances. Leghorn is not in such a state of defence as to make head against the smallest squadron which might attack her by sea, or against a body of troops which might wish to assail her by land."

Sections third and fourth, at page 12, which follow, relate more particularly to Leopold, to his schemes for establishing a constitution, to his reforms, and their consequences.

" Tuscany is very far from being governed in a despotic manner, as people here seem to think. That Peter Leopold, who ceased to be a great man when he succeeded to the throne of the Cæsars, had given her a national representation, a purely republican constitution, which his son, the present Grand-duke, has religiously observed.*

* Ferdinand the Third, who was then alive.—Leopold the Second, his son, now reigning, appears desirous of following still

" The first trial of the new constitution was made by Peter Leopold in 1772, on some communes; in 1774 it was extended to the whole of Florence, and between 1776 and 1777, to the whole of Tuscany. Peter Leopold did not procure for himself by that means either the friendship of the nobles, or of those greedy minions who were connected with them, and who fattened on the blood and sweat of the people. There was only one cry against him during the whole of his administration, and that cry stifled the blessings which the poor artisan and peasant poured forth upon him; but after his death, the whole people of Tuscany united in doing homage to his memory, which is still cherished by the inhabitants, who in future will only form one great class.

" By the new constitution every species of personal tax was abolished, and exclusively imposed

more scrupulously the footsteps of Leopold the Great, his grandfather. This is a fortunate circumstance for Tuscany; but it still remains to be converted into a source of permanent happiness, of which unpleasant accidents, that is to say, bad princes or perfidious ministers, shall not in future be able to deprive her.

Such was the intention of Leopold; and it is now the general and irresistible desire of every people. The actual possession of liberty and prosperity will not any longer satisfy men who feel that they have a right to have them guaranteed by law. Happy that people, who, like the Tuscans in reclaiming their rights, shall find both liberty and prosperity already established among them; and more happy still that Prince who shall have magnanimity enough to oblige both himself and his successors to govern always as he had begun, by governing himself.

on actual property. The right of compelling the books of the administration to be exhibited for examination, was granted to every citizen. All proprietors of real property (*biens-fonds*) in Tuscany, even foreigners who may come to reside in it, and also those Jews who may become purchasers of land, are regarded as citizens of Tuscany, and have exclusively the right of voting in the assemblies which are annually held in the different communes, and which have the power of determining the amount, the allotment, and the method of collecting taxes. This article of the constitution gave rise to a prodigious increase in the number of the proprietors. Every one who was unpossessed of property, whether a mechanic, a labourer, or a domestic servant, became laborious, temperate and economical, in order to acquire a portion, however small it might be, for himself, or at least for his children. Hence there arose a general spirit of order and good conduct among the Tuscans; and hence also seven hundred thousand proprietors out of one million two hundred thousand inhabitants—a fact absolutely without a parallel in the history of other nations.

"Taxes in Tuscany are so very moderate, that the hundred and fifty-six communes into which the Florentine part of it is divided, and which is certainly the richest and the most populous, do not pay annually more than 80,508 francs.

"The lords of fiefs were called upon to declare the

value of their exemptions and feudal rights, which were re-purchased by Leopold for ready money, and abolished in behalf of the nation. The nobility were allowed to retain their titles, but none of the privileges which were formerly attached to them; the peasant who is proprietor of the humblest cottage, possesses the same rights in every respect as the nobles in the assemblies; and it not unfrequently happens, that one of the most distinguished Marquises has a poor labourer for his colleague in the administration. Exemptions are so completely abolished, that the Grand-duke himself pays the taxes levied on allodial possessions, in the same way as a private individual, and is subject to the same fines as any other citizen, in case of not making payment of them within the time pointed out by the law. The trade in provisions is free from all partial and temporary restriction, except under circumstances universally allowed to be disastrous. As soon as these are removed, matters are allowed to proceed on their former free and liberal footing.

"The clergy does not enjoy the least privilege in the state, and possesses not any decisive influence over the minds of the people. The descendants of the ancient Etruscans, although sufficiently inclined to devotion, do not allow themselves to be carried away by superstition. They gave a sufficient proof of their disposition in this respect at the period of the Pope's arrival in Tuscany, which was universally

considered by them as a public misfortune. The government gives itself no trouble about the *Madonnas*, and allows them to multiply these beauties of popular credulity as much as they please; but the people of Tuscany are so much the more safe from the seductive arts of the clergy, as every religion, without any exception, is tolerated in the country, and every religion protected at Leghorn: the clergy may play tricks there to a certain extent, but can never become leaders of the public mind. The country curates collect no tithes; the consequence of which is, that instead of oppressing the cultivator of the soil, they have themselves become cultivators, and are rendered more kind by their wants and their situation; having no other source of support but the small pieces of land which have been allotted to them. Several of them have accordingly become not only excellent farmers, but excellent writers on the subject. The works of the two curates Lastri and Paoletti, on the different points of rural economy and practice, have procured for them a very high reputation.

" The people in the towns and in the country of Tuscany are divided into communes or municipalities, each of which has its *gonfalonier*, or president, its priors or ancients, along with a council which takes cognizance of every thing relative to the rate and collection of taxes, as well as to the administration and employment of the public money. The same

council has the power of nominating the treasurer or cashier, the syndic, the intendant of roads and bridges, and the public notary of the commune. This last officer draws up the decrees, and has the charge of the archives in which they are registered. Each commune, whether in town or in the country, supports a schoolmaster, a physician, a surgeon, and an approved midwife, who are obliged to communicate instruction and assistance in their several departments to their fellow-citizens.

"These, in the employment of Government, receive their salaries in advance, and if they happen to die, their widows receive at first three months pay, and in the course of that period, a pension for life is granted to them, which is fixed, according to circumstances, between a third and two-thirds of what their husbands received. The list of this class of pensions during the last years of Leopold's reign amounted to 2,400,000 Florentine livres—a very large sum for a small State, whose revenues did not amount to more than 10,000,000 of the same coin.

"The governors of provinces, towns, villages, &c. were appointed by the Grand-duke; but he never took the liberty of nominating them, without having previously advised with the tribunal of Consultation as it was called, whose councils were indispensably necessary even before passing any decree which would have the effect of a law. These governors were not allowed to hold their appointments longer

than three years; and before obtaining any new office, they were obliged to produce certificates from the communes, of their good conduct, and of their having rendered an account of their administration to the syndics.

" In the choice and appointment of persons to public situations, the Government never attempted to shock public opinion. The modest and wise Fossombroni, lately nominated Minister for Foreign affairs, is a choice worthy of a Republican Government.

" As by the constitution the most perfect equality in a civil point of view has been established among the different classes of citizens, by abolishing all exemptions and privileges; so in the same manner the penal code, that glorious monument of the philosophy and philanthropy of Peter Leopold, published in 1781, recognizes no difference of ranks. The same crime is punishable to the same extent and in the same way, whoever may have been the transgressor. Along with the crime of high treason, torture and capital punishments have also been abolished; while the life of the lowest porter in the state has been declared to be as valuable as that of him who holds the highest rank. The penal code relieves persons who are accused, from the necessity of taking the exculpatory oath, and those employed in drawing up the indictment, from the oath of fidelity which was formerly required of them; it enacts

in short, that all criminal prosecutions shall be preceded by an accusation lodged in due form against the delinquent, and renders the public accuser responsible for the proceedings.

"The prisons which were formerly in Tuscany, as every where else, filthy and abominable dungeons, have, since the time of Peter Leopold, been converted into healthy and well-aired establishments for the reception and safeguard of those whom it is found necessary to imprison.

"The punishment of a crime, whatever it may have been, never extends, according to the penal code of Tuscany, beyond the individual who has been guilty of it; all confiscations affecting collaterals or descendants, being abolished as unjust."

The author proves the excellence and good policy of these provisions of the criminal law by the consequences which have resulted from them; namely, that there are now much fewer crimes committed in Tuscany than in the other States of Italy. He thus continues:

"Our brethren in arms have lately received a striking proof of the humane and hospitable character of the Tuscans. When, under the necessity of yielding to a superior force, they withdrew from Rome, a set of fanatical villains pursued and attacked them as if they had been so many beasts of prey. A considerable portion of our army took the direction of Tuscany, and received from the in-

habitants the kindest and most generous treatment. The Government itself had issued the strictest orders to that effect, before being called upon to do so."

Addressing himself to Leopold, the author exclaims: "I have seen you, myself, assiduously engaged in promoting the happiness of your people, and braving the hatred and the calumny of the aristocracy in order to establish its liberty on the basis of equality; removing with a bold and firm hand the foundations of superstition; listening attentively to, and even encouraging by thy paternal voice, the poor inhabitants of the country, and entering into the most minute details, in order to relieve them from oppression, and indemnify them in some measure for their past sufferings; enacting laws in accordance with the soundest and most philanthropic theories, not only for the purpose of repressing crime, but also in order to dry up its principal sources; encouraging the arts, agriculture, and commerce, by the most generous sacrifices; personally honouring and rewarding the learned; inviting them as friends to visit your family, and holding out those of them who were most distinguished for probity and modesty as examples for the imitation of your children. Equally humane, beneficent, and enlightened as Trajan or as Julian: you have shown much more wisdom in the choice of a counsellor, a friend and co-adjutor; it is to confidence and friendship

that you have been indebted for the magnanimous courage displayed by you in trampling on prejudice, removing pomp and armed guards from the throne, and finally, resigning the royal prerogative in order to become the father of your subjects, and the founder of their liberty."

"A free press is not established in Tuscany by any specific law; but it exists nevertheless as an important part of the commercial system. In proof of this fact, it is only necessary to mention, that six editions have been printed of the works of Macchiavel, who is undoubtedly one of the ablest opponents of despotism, and one of the warmest friends of democracy; and that all the newspapers of France and of the Italian Republics are freely admitted and freely circulated. The following anecdote may, however, be deemed more to the purpose. A Tuscan, who had been banished in the time of Leopold for his unworthy conduct, published an atrocious libel upon him, in the Cisalpine Republic, entitled 'The private Life of Leopold,' &c. The booksellers received a considerable number of copies of the work, and exposed it for sale. The Grand-duke did not conceive himself authorized either to prohibit its importation or sale, and contented himself with requesting the booksellers not to contribute to the circulation of a libel which was contrary to truth, to justice, and to filial piety."

We shall subjoin a few remarks on the work

from which these extracts are taken, in order to establish for it that character of truth and impartiality which history demands.

Having been published a short time before the first occupation of Tuscany by the French, every thing, we willingly allow, is seen in the most pleasing light.

It is false that the Grand-duke religiously observed the legislative code drawn up by Leopold. On the contrary, he repealed several of its principal provisions, as soon as he mounted the throne; such, for example, as the unlimited freedom of trade, which is the source of so much prosperity. These fatal measures were entirely owing to the ministers of Leopold himself, who were the most inveterate enemies of the philanthropic plans of their master, and who took advantage of the youth and inexperience of his successor, to promote their own malignant ends.

Before the entrance of the French, ministers less interested than those in the support of ancient prejudices, began to see matters in the same light as the nation, and the Prince re-established by degrees the wise laws which had been enacted by his father.

It is not true that the clergy exercised no influence on the minds of the people; they have even still a great deal, and abuse it in the most scandalous manner.

The present truly philosophical and liberal ministry, being aware of the evils arising from attempting, like Leopold, to regulate every thing, has

adopted as a general rule of conduct that maxim of political economy and good government, which though so very necessary to the daily happiness of the people, if the expression may be allowed, seems everywhere else to have been entirely lost sight of. It is, to interfere as little as possible in the way of governing, and to allow matters to regulate themselves. The maxim, however, is perhaps carried a little too far in regard to the clergy, whom it is necessary to be as active in restraining, as they are zealous in usurping, and who, if they are not checked in the very beginning, possess the art of conjoining in an imperceptible manner, ignorance with devotion, devotion with superstition, and superstition with fanaticism. It is ignorance which is the cause of the evil; it is ignorance, therefore, which it is most necessary to attack and to destroy.

A few months after the publication of his work on Tuscany, the author had an opportunity of convincing himself of the facility with which manœuvring *(farceurs)* priests, as he calls them, could become not only leaders and instigators of the people, but even the cause of murder and bloodshed. He had an opportunity of seeing, in fact, how very easily a mild and polished race of men could be metamorphosed into hordes of cannibals and wild beasts.

There were committed in Tuscany upon his companions in arms (we use his own expressions) in the name of the favourites of popular credulity, and espe-

cially under the standard of the Virgin, actions of such iniquitous cruelty, that the blood runs cold at the bare relation of them. Several Jews were burnt at Siena; the monks of Leghorn were seen attending the hospitals for the purpose of preparing for death those patriots who had been wounded by a ferocious and fanatic populace, and with the same breath stirring it up to give the finishing blow to its victims; while a professor of the University of Pisa has given circulation to an infamous and wicked doctrine, in which he not only coolly attempts to justify these horrors and outrages, but commands them in the name of God and of the Bible.

Happily, public opinion, that invincible organ, now rises up every where, even in bigoted and superstitious Tuscany, against mummeries fully as dangerous as they are ridiculous; and still more fortunate is it for the Tuscans that their Prince, who erred for a short time, but whose intentions it has been found impossible to pervert, is willing to yield to the calls of that opinion, and has been the first to obey it. Ferdinand the Third, especially after the restoration of the small Italian states, has nobly and boldly resisted every anti-social impulse, from whatever minister it came. He saw clearly, that nothing short of absolute madness could think of substituting a narrow, selfish, and personal interest for the interest of the public—an interest which is always just, which is founded on enlightened opinion, and

which unites the rights and the happiness of so many millions of men.

Leopold the Second, his son and successor, is aware of the duties imposed upon him by the glorious name which has been given to him, and will not disappoint the reliance and hopes which all the nations of Europe, now substantially interested by the most holy bands in the happiness of one another, have confided in him.

May the princes who resemble him, also feel that their interests are strictly united with the wishes of the age! What a glorious title to immortality would they acquire by compelling their successors to take them for models! The revolutions which have taken place, have shaken the very foundations of civilized society. Men are not now content to fall asleep in the lap of an ephemeral happiness. They are desirous of tasting that happiness, because it is equally the property of all; they wish to contribute to its promotion, because such is the end of their uniting themselves together as a people; they are determined to defend it, because it is their right and privilege. Despots, however paternal we may imagine them, are now equally guilty of injustice towards the people whom they govern, as tyrants formerly were of barbarity towards the multitudes whom they destroyed. Despotic power is at all times unlawful, even in the hands of those who do not convert it to bad purposes; it is an injustice to

the weak, whom it has the means of oppressing, and who will spare no pains to withdraw himself from the humiliating happiness which is imposed upon him. Let kings submit to receive a code of duties, and they will at the same time receive a code of rights, which it will be impossible to invade. But let us return to the affairs of Tuscany.

It is public opinion which has given birth to, and supported the ministry of the Grand-duchy, — the only one, perhaps, in all Europe, which can boast of such support.

It remains for us to say a few words in regard to "The private Life of Leopold." If the importation and sale of that abominable libel be not prohibited in Tuscany, it ought to be observed, to the honour of the Tuscans, that they do not abuse the freedom which they enjoy in this respect. The compiler of these notes found much difficulty, and consumed a great deal of time, in discovering a copy of the work, which he at last obtained from a gentleman curious in regard to books, who, before lending it, deemed it necessary to express his indignation (which he declared to be the general feeling of his countrymen) against the odious author of that tissue of calumny and atrocity. The author of "The private Life of Leopold" does not exhibit a single particle of sense, except when he reproaches that Prince with the fatal system of espionage, which he established in his states, for preventing the commission of sin as well

as of crime, and which only succeeded in debasing one part of the nation, and enervating the remainder. Deprived of that species of courage and of energy, which sometimes, indeed, lead to the commission of great crimes, but without which also no great virtues can possibly exist, the population of the capital, in a more especial manner, from being most exposed to the paternal interference of Leopold, has acquired a habit of petty wickedness and dissembled perfidy, which leave to cowardice and meanness all the external varnish of dissimulation and mildness.

What is most remarkable in the matter is, that Beccatini, (such was the name of the libeller) who reproaches Leopold so bitterly with having given his confidence to the Sheriff Chelotti, whom he had raised to the post of Minister of the Police, had himself been one of the meanest creatures of that upstart, and one of the most impudent of those informers who disturbed the peace of families by their scandalous tales in the name of the Tuscan legislator. He was exiled along with his despicable accomplices, when the Grand-duke became aware of the abuse which these pests of his reign made of his imprudent curiosity and unlucky desire to do and to be informed of every thing. The name of Beccatini, along with those of his equals, was found upon the infamous list of intriguers and *venders of smoke*, whom Leopold devoted to the contempt of their countrymen. Having withdrawn to Naples, that

writer published a "Private Life of Leopold," who requested the Court of the Two Sicilies to permit it to be freely circulated. The book was reprinted at Milan, and dated from Siena in 1797, with the author's corrections, of whom the Cisalpine Republic was not long in ridding itself by banishment.

§ II. In an Italian pamphlet entitled "A View of Tuscany after the Peace of Luneville,—by a Tuscan, and a true friend to his country:" Genoa, May 1st, 1801; printed by Frugoni,* we read as follows:

"The government of Francis of Lorraine was ruinous to Tuscany, as is always the case with provincial governments, whose duties are executed by regencies, invested with the name and authority of the sovereign, but actually animated by the spirit and will of the ministry. Every species of extortion was put in practice to diminish the resources and drain the purses of the inhabitants: general misery prevailed throughout the country, which was still farther increased and hastened, by the arrival in Tuscany of foreign financiers, and by the establishment of a system of restriction which crippled every branch of industry, interfered by its vexatious provisions with every department of commerce, and by exorbitant taxes impoverished the landed proprietors. Hence a diminution of the national prosperity, the decay of agriculture, and the gradual

* "Una Occhiata alla Toscana," &c.

disappearance of the population, successively followed; whilst the whole country was a prey to desolation, which the Prince himself saw not, and of which his ministers carefully concealed from him even the slightest traces.

"To times so deplorable in every respect for Tuscany, succeeded the reign of Peter Leopold. In the course of a few months that Prince discovered the unfortunate situation of the country; found out its true causes, and had the good sense to perceive how much a Prince is interested in the good or bad fortune experienced by his people. With the most praiseworthy courage he formed a plan for restoring public prosperity, and establishing it on the basis of equal liberty, of impartial justice, and of benevolence without bounds. He knew enough to comprehend that this prosperity could only be sufficiently guaranteed by a careful policy, totally free from any alliance which could connect it with the fortunes of the lesser or greater powers of Europe. Tuscany was not long in exhibiting the beneficent effects of this salutary plan. Every day she made rapid strides towards prosperity, re-acquired that happiness which she had lost, and even far exceeded the progress which she had hitherto made in the career of civilization, in point of national wealth, national morality, and the prodigious increase of her population. It is not at all necessary to adduce proofs of this glorious success, for there are numbers of foreigners

now alive who saw Tuscany at a period when they could not fail to admire her government, and envy her happy lot, and who can state so much on that head, as to render it altogether useless to say any thing farther in regard to it.

"Ferdinand the Third was presented with that small state, in which all the elements of prosperity already existed—in which the most perfect public good was the necessary result of a Government which had no other end in view, and to the promotion of which every thing concurred in a manner as advantageous, as it was unknown in the history of nations. But, unfortunately, that mysterious fatality which presides over the destinies of kingdoms and nations, and which places insurmountable barriers to their good or their evil fortune, determined that the reign of Ferdinand should only be one continued succession of schemes and measures, in diametrical opposition to those of Leopold, and all of them tending, in the most direct manner, to overthrow and destroy the system which he had established.*

* It gives us much pleasure to repeat, that if the impartial writer, whose reflections we are translating, were to visit Tuscany now, he would willingly allow that the present Government of that beautiful country, as well as the Government of Ferdinand the Third, since 1814, is only a result of the constitutional system of Leopold. The ministers now in office are guided by the ideas and maxims of that Prince; they profess the same principles as he did, and even go the length of executing

"The Prince had no personal vices likely to shock the feelings of his people; but the example of pomp and luxury exhibited by his court, along with an ill-understood system of religious toleration, annihilated, in an instant, all that had been done by the simplicity and austerity of Leopold to add temperance and prudence to the other virtues of the nation. The wealth of the people disappeared as soon as freedom of trade had been abolished, and restrictions of the most rigid nature were imposed on the merchants, for the regulation of places and markets, the price and transport of provisions, and the freedom of exercising any branch of business. At the same time the public offices under Government were re-converted into so many private privileges; the communal expenses were exhibited in round sums, in order to conceal the creation of new contributions, or the increase of the old; and a scarcity was feigned, in order to prevent the common people from perceiving the monopoly which was attempted to be exercised under the specious pretence of a public provision. The stores, which were established for that purpose, were dissipated in secret gifts, in order to skreen the prodigality of the court and the dilapidation of the courtiers, and in bribes to ministerial

his philanthropic schemes, as far as the situation of their country, that privileged spot in the middle of Italy, will allow them.

agents. The national debt was increased to a frightful extent by every known and unknown means, and the prosperity of the State vanished amidst the complaints of the people, who had no idea of the causes of their calamities.

" All that was wanting to complete the ruin of the Prince, and of the nation, was a false scheme of political alliance with foreign States. Accordingly, the system which had preserved Tuscany from the calamities of war during many centuries, and which in the time of the last Government had been scrupulously observed, was changed also in this respect. Neutrality was violated in several instances, until it became necessary at last to have recourse to arms. But it would be unjust to accuse Ferdinand the Third of being the cause of all these misfortunes: for that Prince erred without any evil design, and even without its affording grounds to consider him either wild or capricious. All that can be said on the subject is, that the incapacity of some of his ministers, and the foolish counsels of the others, opened the way to all the disasters which succeeded one another so rapidly and so unexpectedly.

" Ferdinand, whether driven from his throne, or voluntarily flying from it, allowed Tuscany, already considerably weakened and exhausted, to fall into the hands of a Government (that of the French) whose rights were founded on conquest, and which in a short period, by its spoliations, its requisitions, and

the excessive consumption of its armies, completely destroyed it," &c.

§ III. Another pamphlet, with the following title, "Advice to the Tuscans, by citizen Doctor Joseph Castinelli; Discourse First," Tuscany, 1799,* expresses itself thus:

"Under the Government of Peter Leopold, the Tuscans were on the one hand invited to taste the sweets conferred by liberty on a regenerated people; and on the other, so humbled and debased as neither to possess political opinion, nor public spirit.

"At the present time, the French, after ten years of dissension and revolution, under a democratic Republic, scarcely enjoy the advantages which, at the period of their Revolution, were possessed by the Tuscans, under a despotic and absolute form of Government.

"The unrestrained freedom of trade removed every obstruction that was odious to the nation, rendered the country fertile, and enriched the cultivator. The taxes were moderate, and scarcely felt. The most impartial administration of justice, both civil and criminal, made the poor and the rich, the plebeian and the nobleman, equal in the eye of the law, removed all possibility of corruption from the courts, and every shadow of abuse of authority from the judges. No class of citizens was favoured

* "Prudente Consiglio ai Toscani," &c.

by the grant of exclusive rights and privileges to the detriment of another; the nobility had no other prerogative or distinction, but that of associating in a palace called Casino at their own expense, and of wearing a cross which, from being despised in the first place by the Prince, was soon afterwards despised by every one else. The destruction of feudal rights, the suppression of rights in trust (*fideicommis*), the abolition of capital punishment,* the jurisdiction of the clergy and the tyranny of the Court of Rome shaken to their very foundations; the enactment of numerous laws tending to destroy the influence and power of the aristocracy, to favour a greater division of property, and to increase the personal liberty of the subject,—all tended to render the Government of Peter Leopold famous among polished nations, and to deprive the Tuscans of all wish to procure, by means of a revolution, advantages which they already enjoyed in so high a degree.

"On the other hand, that Prince, desirous of uniting the happiness of his people with the exercise of absolute and despotic authority, allows himself to become guilty of the most tyrannical acts; to give way to arbitrary enterprises and proceedings; to carry his vices and dissolute manners to excess, whilst he demands from his subjects the regularity

* M. De Potter has here inserted a rather tedious criticism of the "*Soirées de Petersbourgh*" of M. le Comte de Maistre, which it is of no importance to translate.—Ed.

and chastity of the convent; to maintain and to encourage the most despicable and insulting system of espionage, and to persecute those who exhibit any superiority of talent or of genius.* Although these despotic measures only affected a very small portion of his subjects, without altering in any respect the fundamental maxims of the government and legislative system, they nevertheless had a tendency to impress on the whole nation a character of excessive mildness, and to extinguish its native energy.

* This last assertion is false: the whole tenor of Ricci's life is a proof of it. Leopold was fond of men of superior talents, and employed them whenever they were brought to his knowledge. In regard to his despotism, his incontinence, and his degrading system of espionage, it is impossible to doubt their existence. His incontinence was a personal weakness, and his espionage a fatal error arising from his desire to render his subjects perfect. His despotism (which, however, we do not approve, for, when employed as a means, it frequently ruins the most liberal plans,) was only intended to dispose matters better, or at all events sooner, for the new system of liberty which he proposed to introduce for the welfare of Tuscany. Though we had not his constitution to adduce in support of this statement, it would be quite sufficient to recollect that Leopold used every endeavour to diffuse information throughout his dominions, and to purify the morals of his subjects;—measures which certainly tended to promote law and morality in his States, and to form a virtuous, enlightened, bold, and free people. The only despotism which ought really to be dreaded, is that of those pretended paternal tyrants, who with a leaden sceptre brutalize their people, by means of ignorance and corruption.

" Peter Leopold, from a wish to know and to direct every thing himself, reigned without ministers, and did not permit those whom he employed to take any decided part in the affairs of government;* so that, being deprived of every means of instruction, and of every motive to emulation, there was no one in Tuscany, at the period of the French revolution, if we except a few men of letters, who had any thing like a knowledge of the first elements of politics. In general, the meaning of the technical expressions used in the science was totally unknown.

" The Tuscans accordingly felt but little interest in public affairs, and were animated with a very small portion of patriotism. Every one was occupied with his own immediate interests, as might naturally have been expected from the legislative system of Leopold. This apathy was carried to such an extent, that that Prince, though destitute of soldiers or fortresses, was enabled to pass what laws he pleased, to attack reigning opinions and popular prejudices, and to exercise the most arbitrary and despotic authority, without entertaining

* The Senator Francis Gianni, (the author of the Memoirs on the Constitutional project of Leopold,) a citizen deserving of the highest eulogium, who rendered the greatest services to his country by his talents and his patriotism, and who had the merit of suggesting the best laws enacted by Leopold. He was in consequence an object of hatred to the late Government, (that of Ferdinand the Third, before the invasion,) and to all the aristocracy.—Doctor Castinelli.

the least dread of dissatisfaction on the part of the people.

" The nobility and clergy were the principal complainants against a system so contrary to their interests. When Ferdinand the Third ascended the throne, an attempt was made to induce him to pursue a contrary line of conduct. The political edifice erected by Leopold was in consequence nearly overturned, and his legislative measures were considerably modified and altered.

" The system of free trade was abolished; a new criminal code was introduced; the ministry arrogated to itself the highest authority and influence; the clergy acquired a part of the jurisdiction of which they had been deprived; while in the filling up of public offices the nobles were chosen and preferred to every other class of citizens.*

" The pacific character of the Grand-duke Ferdinand, and the political insinuations of the Marquis Manfredini, gave to the new Government a tone of mildness and apparent moderation. The ministry frequently changed even the very essence of this system, by giving way to private persecution and rigour, under some false pretext or for some specious

* Almost all the reforms of Leopold have been re-established, except those relating to religious confraternities, which the Government have allowed to increase as much as the most devout could possibly have desired.

motive, without however shocking or offending the generality of the citizens.

" Whilst these things were going on, agriculture had made rapid progress in Tuscany—a necessary consequence of the freedom of trade, which was not abolished till 1792. The port of Leghorn, in consequence of its situation and some favourable circumstances, had become an abundant source of wealth, so that the Tuscans were enjoying the sweets of an easy and agreeable life, at a time when the other nations of Europe were suffering all the evils resulting from anarchy and war.

" Thus situated, what could have induced them to think of revolution? What wise man, what patriot could have desired it?

" The very small number of persons who knew the value of liberty and equality, studied the principles proclaimed by the French nation, and offered up prayers for their success; but they saw clearly that there existed no one reason for proposing their adoption in Tuscany, where neither the causes nor the evils existed which had given rise to the French revolution, and where a greater share of happiness was enjoyed than in those countries whose government and constitution had been remodelled." *

§ IV. " Five years of good government, (says the Advocate Giusti, whose work has been already

* " Prudente Consiglio," &c. chap. 3, Reflections on Tuscany, pp. 22—26.

quoted,*) under an enlightened and philosophical Prince, had rendered Etruria an object of admiration to all the nations of the world. Learned and virtuous men filled the most important offices in the State. A mild and humane Government had stamped upon the whole nation a character of moderation and goodness, which rendered it the delight of Italy. Great crimes were of such rare occurrence, that the Tuscans looked upon them as extraordinary phenomena, such as are occasionally witnessed in the convulsions of Nature. For several months, the prisons were completely empty, and no such thing was heard of as crimes, prosecutions, or punishments. The virtuous Prince who governed us at that time has obtained the reward due to a just man,—that of witnessing the happy effects resulting from a legislation founded on the principles of justice and philosophy.

" Those who, from interest or ambition, were desirous of retaining existing abuses, became the despised spectators of that happy revolution, and were equally devoid of influence and power to arrest its progress. Men, however, who are actuated by such motives, are always ready to take advantage of any favourable opportunity of ingratiating themselves with the Government; and accordingly, having failed of success with the father, these personages made

* " Difesa di Antonio Landi, Antonio Fiaravanti," &c. pp. 15—17.

use of the simplicity and good dispositions of the son, to render him subject to their influence and control. Those friends of Leopold to whom Tuscany was indebted for every thing which she enjoyed, were reduced to absolute nullity. His laws were, one after another, altered, suspended, or abrogated; in one word, under the reign of Ferdinand, Tuscany decidedly retrograded in every thing which could contribute to render her happy.*

"The French had acquired, and were in possession of Tuscany. Persons of merit were again sought out, and drawn from their retreats to take charge of the affairs of the nation. A new dawn glimmered upon Tuscany, that promised a return of those bright days which she enjoyed under Leopold. But that dawn was of short duration; the fate of war destroyed at once, on the borders of the Trebbia, the hopes and expectations of all who felt an interest in her welfare."

§ V. A pamphlet, likewise printed and published in 1799, but without mentioning where it was printed, entitled "Aspect of Tuscany, after its occupation by the French," contains the following observations.†

* De Potter remarks on this passage, that although Ferdinand had been at first guilty of several gross mistakes in the government of his people, he had, after his restoration, made ample amends, by adopting the principles of his predecessor.

† "Prospetto de la Toscana dopo l' occupazione de' Francesi." 1799.

" A government of only three months duration, under Reinhard, (French commissioner at Florence after the departure of Ferdinand the Third,) destroyed what it had cost Leopold so much trouble to establish. That philosophical despot had, by a code of wise laws, prepared his subjects for democracy. The freedom of trade, the new code of criminal law, the equality established among his subjects, the institution of popular assemblies, the check given to the tyranny of the Pope and the fanaticism of superstition, had already disposed the minds of men to receive a new order of things, of which he was himself desirous of being the author. Whether it was that Leopold was convinced of the sacred nature of the principles of social liberty—whether it was that he was ambitious of being the founder of a new system of government—whether it was that he was desirous of removing the obstacles which impeded his despotic views, or whatever other motive influenced him, it is past all doubt that he paved the way for liberty in Tuscany; and that Tuscany enjoyed freedom during his reign, because he put himself on a level, in the eye of the law, with every subject in his dominions.

" Ferdinand, his son and successor, giving way to an excess of circumspection, through dread of erring, destitute of experience in public affairs, on account of his youth, and naturally of an indolent disposition, readily yielded the reins of government to his

ministers. They, being all inimical to the plans pursued by his father, restored to the nobility the odious privileges which they had formerly possessed, re-established the system of superstition which had been abolished, and destroying, by little and little, all the measures of their former sovereign, used every endeavour to reduce the people to the same state of slavery in which he had found them. So true is it that the happiness of a State is always precarious and uncertain, when the caprice of an individual is the only law, when it is not governed by a constitution which has emanated from the people, and when the authority of the magistrates, who preside over its affairs, is not limited to the shortest possible period of time. In one word, no general prosperity or happiness can exist, where there is no civil liberty.

"All the efforts of Manfredini and Seratti to extinguish the love of liberty in the hearts of the Tuscans, terminated unsuccessfully. Both of them had the same object in view, and both of them adopted different plans for attaining it. The one employed every species of Macchiavelian finesse; the other attached himself to superstition, which required no finesse. Knowledge was, however, too generally diffused in Tuscany to admit of any renewal of superiority over it on the part of the other States of Italy. Tuscany was in fact the best prepared for a change in the social system; a change which one might almost say would have been com-

pleted in it by substituting, in addition to the institutions of Leopold, a legislative body in the place of Ferdinand.* The French Government, however, after having by its monstrous policy delayed until these latter times the expulsion of that Prince, only placed a Republican Commissioner on the throne, who reigns so much the more despotically, because he has it in his power to veil his tyranny with the mantle of pretended liberty."

§ VI. Finally, in order to terminate this note in regard to the situation of Tuscany, (considered as the result of that system of legislation introduced by Leopold, and of the errors committed by those who attempted to pursue a different plan,) we shall give some fragments of a work in manuscript, written by Senator Gianni, the worthy minister of Leopold, and the author of those reflections on his constitutional project, to which every thing which we have said, after giving the details of that project, is only intended to serve as a commentary.

The manuscript is signed by Francis Maria Gianni, and dated Genoa, 15th September, 1800. It is entitled "Memoir intended for my worthy friend, Senator Bartolini," who was the last senator added

* De Potter remarks on this passage with considerable warmth, and insists that the only thing necessary for completing the prosperity and happiness of Tuscany, was a legislative body not in place of the Sovereign, but in addition to him.

to the Regency before the second invasion of the French.*

The Memoir is in the hands of every Tuscan, and contains a defence of the public life of Gianni, especially during the first occupation of Tuscany, when he accepted the office of Minister of Finance in the new Republic. Men of probity and sense, who were more attached to the welfare of their country than to the success of a party, required no such defence from Gianni, and we shall therefore only extract from it what is of public and general importance.

The senator comments at great length on the very grave error of most governments, in separating the grandeur, the interests, and the welfare of the sovereign, from the grandeur, interests, and welfare of the people, which are and ought always to be considered as one and the same. He attributes to this fatal error all the misfortunes of Tuscany, and those of every country in which a revolution has become unavoidable.

He next proceeds to the consideration of the public debt of Tuscany.

"In regard to the public debt of Tuscany, I must beg leave to remind you that, however enormous its

* "Memoria per il degno amico, il senatore Bartolini."

Bartolini died before the Memoir could have been sent to him. Gianni addressed it to the person whom he deemed most able and willing to use it for the benefit of Tuscany.

amount, I never entertained the least dread of it. If that debt had not been renewed and increased at the time when it had almost been extinguished, it is possible that Tuscany would have suffered fewer evils than she has now to endure. But at that time it was a matter of little importance. The measure was one of Leopold, who had become so obnoxious, and was overthrown through hatred of its author, after having been applauded by foreigners, and blamed only by the Tuscans,—that is to say, by those who had an interest in crushing it. Such a measure could not now be carried into effect. Public confidence is destroyed; private wealth has changed its place, and been transferred into other hands than those originally possessed of it."

* * * * * *

"The present is not the time for deceiving one's self by useless subterfuges, or unfounded reflections. Tuscany, until 1791, was the only state whose finances exhibited no deficit. Now our finances are entirely and irrevocably ruined. The only step which remains for us to take is to commence a new system, to regulate our affairs in future with more prudence, and intrust them to those who understand their management."

* * * * * *

"Our internal policy ought to be purely defensive, and always characterized by a spirit of loyalty and good faith towards other powers. All interference

in a diplomatic character (which could only tend to make us despised and ridiculed,) ought to be avoided.

" Whoever attempts to inspire the Grand-duke with vain ideas of the attitude which he ought to assume in regard to foreign powers, is sure by doing so, to render him ridiculous.

" Such also must be the result of all endeavours to render him ambitious of distinction among the sovereigns of Europe, or of assuming a rank among them which is not warranted by the importance of his dominions. He would become their dependent, and at the same time the object of their contempt. To be convinced of this truth, we have only to consult the history of the follies of the government of the Medici, (sufficient to fill a very large volume,) who in the end, notwithstanding their utmost endeavours, obtained neither grandeur nor power, nor wealth, nor rights, and were obliged to content themselves with the empty titles given them by foreign powers in affairs of ceremony, or in the addresses of despatches.

" Whoever attempts to enrich the Grand-duke of Tuscany at the expense of his people, is sure of ruining him, and of preparing for his country, on a small scale, those evils to which I alluded in relating the history of the Kings of France. These kings accepted the services and listened to the counsels of those ministers and courtiers who separated them

from the nation, with the view of augmenting their authority, their power, and their wealth, in order to establish that despotism which destroyed and buried them under the ruins of their country. France still exists, but its kings no longer reign."

* * * * * *

"The maintenance of strict neutrality preserved Tuscany from the evils of war during many centuries; and Leghorn, which was more particularly benefited by it, became the centre of the commerce and trade of those nations who were weak enough to engage in it. This wise policy has however given place to errors suggested by a narrow and mercantile spirit, which grounds all its calculations on present circumstances;—errors which were adopted as strokes of policy by those who were at the helm of government, either from an inconsiderate disregard of the future, or because they were but imperfectly acquainted with the true interests of Tuscany. Hence it has not unfrequently happened in the course of our history, that the interests of Leghorn have been at variance with the interests of the rest of the Grand-duchy.

"Such errors, it may be said, only became apparent after the time of the Medici; as before that period, the only infractions of the neutral system were of an individual nature, and committed by commandants and governors from motives of avarice. Afterwards, however, irregularities increased to such

a degree, and were repeated so often, and so shamefully, as to become the subject of formal negotiations. Our professions of neutrality will therefore now find but few believers, and can inspire but little confidence. This ought not, however, to prevent us from proclaiming it in the face of Europe, or from using every effort to preserve it humbly and faithfully towards other States."

Senator Gianni very wisely proposes as the only proper remedy for all the internal evils of the State, "to organize a system of government which shall enable the nation, in a legitimate manner, to carry its complaints to the foot of the throne, and to demand and propose the adoption of measures likely to satisfy them. He wishes the sovereign, on his part, to take the advice of the people, and to receive from them the information and knowledge which he requires. This information is much more likely to exist amongst the people, who are all interested in the welfare of the State, than among ministers and courtiers, who, however well-intentioned they may be, generally give to their masters the most pernicious counsels, from pure ignorance of what it is impossible for them either to know or to feel in the same way, and to the same degree, as the subject who suffers and enjoys must always do.

"Be not afraid that the adoption of such a system would either tend to degrade the Grand-duke, or to diminish his authority. For, on the contrary,

it would prove the greatest benefit which any one could confer, either on the State, or on those who are chosen to govern it.

" Sovereigns can never be so certain of the beneficial operation of any measure, as when it has been determined on with the consent of the people, and been subjected to the intelligence and discussion of those interested in its producing every possible advantage; while ministers are thereby freed from that dangerous responsibility which subjects them to so much odium, even when they are not deserving of blame."

Gianni lays it down as a principle, " that all governments, whether monarchical or republican, can have only one object in view; namely, the protection of the people, and the happiness of the greatest number:" he adds, " that all magistrates, each in his own department, are bound to assist in promoting it to the best of their knowledge, and by every means in their power.

" The maxim inculcated in the schools of the civilians, that passive obedience is due to the Prince by those who occupy situations to which they have been appointed by him, is false and pernicious. A wise man neither will, nor can, ever so far degrade himself as to become an instrument of public evil, and is totally inexcusable, if he allow himself to become such, even though he should incur the loss

of fortune, or of royal favour, by a contrary line of conduct.

" Every one agrees to the truth of this doctrine, but very few practise it when they happen to be placed in the unpleasant predicament of choosing between secret guilt and public disgrace.

" That man, however, is neither qualified for serving the public, nor in any respect deserving of its confidence, who is not superior to the seductive influence of applause; who cannot bear up against the calumnies of envious persecutors, who cannot despise the insidious flattery of that crowd of aspirants, whose only object is to gain favour, or to acquire a fortune by base compliances; who, in fine, does not make the good of the public the only object, and adopt virtue as the sole director of all his schemes, and of all his actions."

§ VII. The compiler of these extracts possesses two original letters of Senator Gianni to his friend Biffi, written with his own hand: in the one written from Genoa, July 4th, 1804, he says:—

" Frullani imagines that I am employed in writing a treatise on the spirit of Leopold's legislation; but he is mistaken. Tell him from me, that whoever is desirous of discovering the real spirit of his laws, will make but little progress in the study, unless he constantly keeps in view the constitution which Leopold was anxious to establish. It was

completed and approved, but could not be carried into effect, on the accession of Ferdinand, on account of the intrigues which were going on at Vienna in these critical times. If Ferdinand had ascended the throne under the safeguard of that constitution, it is more than probable, that he would not have had to endure the misfortunes to which he has since been exposed.

"Thus the labour employed in framing that constitution became altogether useless. Some day or other, however, it may become public, and serve to enlarge the history of these times, or even to furnish instruction to princes, who are made to believe that a constitution, or fundamental law, deprives them of a part of their authority. Such is not the case: a good constitution gives validity to the contract between the prince and his people; strengthens his authority by the support of the nation, which thus makes him acquainted with its own wants, and the true interests of the throne; and finally, serves as a barrier against the artifices of ministers and the vices of courtiers—who are the only real enemies of kings, the sole usurpers of authority, the mild and complaisant corrupters of sovereigns, and the oppressors of nations; —who at one time sacrifice the sovereign, and at another the people, and thus separate and ruin two parties, who cannot exist without mutual union, mutual confidence, and mutual support.

"A king, however, dies; a people never. Leo-

pold was aware of all these truths, but unfortunately he was cut off too soon fully to avail himself of them. Mention all this to Frullani. As to the latter, you may make what use of it you please, without any mystery or scruple."

Returning from this somewhat long digression to the main narrative of Ricci's life,—the Bishop's plans for religious reforms were next put in execution. The Chevalier Banchieri, who was appointed administrator of the estates belonging to the suppressed monasteries, fully concurred with him in all his measures, and a manufactory was established for the employment of the poor, which soon acquired considerable importance. Pistoia has a population of eight thousand souls. Ricci divided it into eight parishes, each governed by a curé or prior, who received three hundred crowns a year, and by four chaplains, who were paid a hundred and forty crowns. Having thus united every kind of church property to the ecclesiastical patrimony, which was charged with the payment of the ministers' salaries and the expenses of public worship, he severely forbade the priests' receiving money from the people on any pretext whatever. They were obliged to officiate, to marry, baptize, and bury *gratis*, and the expenses of all religious ceremonies were definitively fixed. The number of tapers put round the dead was the same for both poor and rich; and when the

sum appointed by the defunct person, or his heirs, exceeded the expense, the surplus was devoted to purposes of charity. Many of the clergy voluntarily submitted to these new regulations, and the Bishop had the satisfaction of finding that the diffusion of knowledge had begun to work effects, which he trusted could never be destroyed.

The Grand-duke augmented the funds of the ecclesiastical patrimony instituted by Ricci, and bestowed on it all the wealth of the suppressed monasteries. These institutions, says the Bishop, afforded, in early times, retreats for men wearied with the barbarities and vices of war. But they have since been made the asylums only of idleness and sensuality. Tuscany was always the most religious province of Italy, but its devotion has not always been the most enlightened. The convents became intolerable by their numbers, and served as places of confinement, where one half of the people was condemned to celibacy. Leopold saw the abuses which had been introduced; and notwithstanding the anger of the Papal Court, he determined on effecting a reformation. With the riches of the monks he endowed poor parishes, whose priests almost failed of subsistence. He founded new ones where they were wanted. He assisted and established hospitals: founded places of education, and, in one word, concludes the Bishop, conferred such benefits on Tuscany, that his name deserves to be eternally commemorated.

With the powerful assistance of Leopold, Ricci found no obstacle sufficient to retard his completion of the seminary of Pistoia. The edifice employed a considerable number of hands, formed a new feature in the appearance of the town, encouraged industry, and even tended to the revival of the Fine Arts, and those of a simple luxury. The petty intrigues which were sometimes employed against him, he immediately made known to Leopold, and they were as immediately stopped by the active and zealous determination of that Prince. Ricci has given a long description of his seminary, of the manner in which he formed a school for literary exercises out of the ancient Church, of the economical measures he took to insure the prosperity of the establishment, of the exact discipline he introduced, and of the morality which he inculcated, both practically and theoretically, among the pupils. But the detail of these matters would carry us beyond the prescribed limits of the present work; and we must content ourselves with having merely alluded to them.

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